

# County of Placer Tahoe Basin Stormwater Management Plan 2006-2010



Phase I Municipal Stormwater Program

Prepared by Placer County Public Works Department  
3091 County Center Drive  
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July 15, 2006

## **CERTIFICATION COUNTY OF PLACER**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

COUNTY OF PLACER

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Chairman, Board of Supervisors

ATTEST:

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Clerk of the Board

As authorized by Board Agenda Item No. \_\_\_\_\_ and required by 122.22 Code of Federal Regulations.

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## **CHAPTER 1. INTRODUCTION**

### **Purpose**

This Placer County Tahoe Basin Stormwater Management Plan (“SWMP” or “Plan”) describes the Placer County stormwater quality improvement program to be implemented in compliance with the National Pollutant Discharge Elimination System (NPDES) Phase I Municipal Permit No. CAG616001 Lahontan Regional Water Quality Control Board Order No. R6T-2005-0026 (“permit”), for the Lake Tahoe Basin. The permit requires Placer County to submit a stormwater management plan meeting the permit requirements by July 15, 2006.

This SWMP proposes activities and goals for the program years 2006-2010, and includes information to provide readers with an understanding of the program history and the status of Placer County stormwater management activities in the Tahoe Basin. The Plan’s intention is to communicate the required commitment to each of the planned actions, outline the intended results, and guide staff towards desired outcomes. Details of program achievements will be provided in the annual reports required by the NPDES permit. New information developed subsequent to adoption of the Plan will be provided with annual reports. Revisions to the Plan are not anticipated prior to renewal of the NPDES permit in 2010, unless significant issues obligate substantial updating.

### **Plan Organization**

This Plan is organized into six chapters:

Chapter 1, Introduction: Describes the purpose and organization of the Plan.

Chapter 2, Program Overview and History: Presents a stormwater quality program overview, including a discussion of the permit area and history, program organization, regulatory setting, integration with Placer County’s Western Region NPDES Phase II permit, pollutants present in Lake Tahoe, relationship with El Dorado County and the City of South Lake Tahoe, and a summary of stormwater quality improvement program accomplishments to date.

Chapter 3, Program Management: Describes program management, including goals, priorities, exclusions; intra-agency coordination, inter-agency coordination, Placer County organization, departments and responsibilities, County facilities within the Tahoe Basin, annual planning and reporting activities, and budget and staffing.

Chapter 4, Legal Authority: Describes Placer County’s existing legal authority to implement the stormwater quality program, and contains a commitment to evaluate whether the current authority meets the conditions of the permit. The

section also contains a commitment to create additional authority, if a need is identified by the evaluation.

Chapter 5, Program Implementation, is the core of the Plan, describing implementation of program activities, and addressing the program elements A-L as described in Section VII of the permit. Each section contains text describing the proposed tasks to address the elements of A-L and a table that summarizes the tasks, the implementing department(s), timing, activity, and measurable goal. In addition, permit section VIII SWMP Revision and IX Impaired Waterbodies/TMDL are described in SWMP sections 5-M and 5-N respectively.

Chapter 6, Monitoring and Reporting: Describes the information to be tracked and reported to the Lahontan Regional Water Quality Control Board with the annual reports.

## **CHAPTER 2. PROGRAM OVERVIEW AND HISTORY**

### **Permit Area**

The Phase I permit area includes the area shown in Figure 2-1, all parts of Placer County within the Lake Tahoe Basin watershed.



## Program Outline

The Placer County Tahoe Basin stormwater quality improvement program has been developed to address the necessary program components (A-L) of Section VII as well as Sections VIII and IX of the permit. The following nomenclature is used in the Placer County program to identify each component of the program:

- 5-A Retrofit
- 5-B Construction
- 5-C Industrial
- 5-D Commercial
- 5-E Residential
- 5-F Road and Facility Inspection
- 5-G Traction Abrasive and Deicer Application and Recovery
- 5-H Education
- 5-I Illicit Discharge Detection and Elimination
- 5-J Public Participation
- 5-K SWMP Effectiveness
- 5-L Fiscal Analysis
- 5-M SWMP Revision and Implementation
- 5-N Impaired Waterbodies and TMDL

Each of the program components contain multiple tasks as detailed in Chapter 5.

## Regulatory Setting

Placer County's Phase I permit is issued by the California Regional Water Quality Control Board, Lahontan Region (LRWQCB), the State agency responsible for the protection of water quality within the Lahontan region, which extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest, including the California portion of the Tahoe Basin. The LRWQCB answers to the State Water Resources Control Board, which sets statewide policy for the implementation of state and federal laws and regulations.

This area is also within the jurisdiction of the Tahoe Regional Planning Agency (TRPA). TRPA is a unique bi-state regional environmental planning agency charged with protecting the environment of the Tahoe Basin for the benefit of current and future generations. The TRPA oversees all development and environmental improvement projects in the Tahoe Basin and issues construction permits for private and public works projects. TRPA is also a participating agency with a key role in the development and implementation of the Environmental Improvement Program (EIP), a plan to preserve, restore and enhance the unique natural and human environment of the Lake Tahoe Region. The EIP program defines restoration needs for attaining environmental goals or thresholds. There are nine identified threshold categories, including water



quality. Through the EIP, many water quality improvement projects have been constructed Basin-wide to improve the quality of stormwater runoff and help attain this threshold.

### Permit History

Lake Tahoe was first designated as an "Outstanding Natural Resource Water" (ONRW) by the State Water Resources Control Board in 1980. The ONRWs are subject to a non-degradation objective, the highest level of protection under the Federal Clean Water Act. In 1984, the LRWQCB issued Order 6-85-F6, establishing waste discharge requirements for Placer County. In 1987, TRPA issued a Regional Plan, including the Water Quality Management Plan (the "208 Plan"). The NPDES Phase I stormwater regulations were issued nationwide in 1990, and in 1992 the LRWQCB issued Board Order 6-92-02, rescinding the waste discharge requirements and establishing the Phase I permit. Board Order 6-00-82, adopted October 12, 2000, previously regulated urban runoff discharge from the City, El Dorado County, and Placer County. Order 6-00-82 expired on October 12, 2005. The updated Municipal NPDES Permit is Board Order Number R6T-2005-0026 and NPDES Permit No. CAG616001.

### Integration with the West Placer County Phase II Permit

Western Placer County has been designated for Phase II of the NPDES Municipal Stormwater Program for small municipalities. As of August 31, 2004, all unincorporated areas generally west of Foresthill and Colfax are subject to the State's Municipal General Stormwater Permit CAS000004. A Phase II stormwater management plan guides the west Placer County program (WDID #5A31NP00021). By necessity the west Placer County and Tahoe Basin programs share some elements and resources; however, there are enough significant differences between the Phase I and Phase II permits, physical environments, and regulatory requirements such that the programs must be considered separate.

### Pollutants of Concern

The Tahoe stormwater quality program is designed to primarily reduce fine sediment, nitrogen, and phosphorus in wet weather stormwater flows and to reduce non-stormwater discharges in general.

Lake Tahoe is listed as high priority on the Federal Clean Water Act Section 303d list of waterways impaired by the presence of nutrients due to, among other sources, urban stormwater. Typical pollutants from residential areas include pesticides and fertilizers from landscaping, detergents, oils, metals, and automotive fluids from car maintenance, household chemicals such as solvents and paints, pet waste, and trash. Commercial areas may contribute

fertilizer and pesticides from landscaping, oil and automotive fluids from parking areas, outdoor waste from loading areas, paints and other waste from remodeling. Typical pollutants from construction sites include sediment and gravel, trash, concrete slurry, paints, oil, grease, and hydraulic fluids from equipment. Winter operations of county roads can represent a source of pollutants including sand, salt, fine sediment, phosphorus, nitrogen, and iron.

The Phase I permit identifies numerical limits for the following constituents in the Effluent Limitations:

- Total Nitrogen
- Total Phosphorous
- Total Iron
- Turbidity
- Grease and Oil

These pollutants, along with sediment, have been identified as the primary contaminants responsible for clarity decline in Lake Tahoe. Any BMP in this Plan that references 'target pollutant reduction' refers to the above constituents, plus sediment.

Under the 2000 Phase I permit, Placer County was required to perform monitoring activities at various sites. Monitoring data and Tahoe Basin-wide research, indicate that the pollutants with the greatest impact on Lake Tahoe water quality and clarity are fine sediment (less than about 74 microns in size), phosphorus, and nitrogen. Future water quality improvement projects will continue to focus on reducing the discharge of these pollutants. A summary of monitoring activities completed on two county constructed projects is below.

#### Tahoe City Wetlands

The most recent monitoring project concluded with two comprehensive monitoring reports: "Subalpine Stormwater Treatment with a Constructed Surface-Flow Wetland"; and "Groundwater Hydraulics and Chemistry of the Tahoe City Wetland Treatment System". The monitoring reports include data collection from water years WY03 (beginning in October 2002) and WY04 (through the end of September 2004). The first report evaluates efficiency of the constructed wetland treatment system in removal of nutrients and sediments and how the efficiency fluctuates with seasonal variations in the subalpine environment. The second report assessed the potential impacts to groundwater through infiltration of stormwater within the treatment basins.

### Kings Beach Basins (Coon Street)

“Performance Assessment of the Coon Street Detention Basin, Kings Beach CA” by the Tahoe Environmental Research Center dated March 17, 2005 reported the monitoring of two basins. The report includes data collection from water years WY03 (beginning in October 2002) and WY04 (through the end of September 2004). The basins were monitored for efficiency in the removal of fine sediment. Additionally, phosphorus adsorptive media treatment enhancement was tested at the basins during this period.

The 2000 Phase I permit also incorporates by reference the Lake Tahoe Basin Plan, TRPA Section 208 Plan, requirements of Section 402(p) of the Federal Clean Water Act, and 40 Code of Federal Regulations, Part 122. Portions of these documents apply water quality standards and effluent limitations to stormwater discharges.

### Relationship with El Dorado and South Lake Tahoe

Placer County, El Dorado County, and the City of South Lake Tahoe share a common Phase I permit promulgated by the LRWQCB, with minor differences specific to each jurisdiction. Although each agency operates its program independently from the others, personnel from the three jurisdictions regularly interact with their counterparts to coordinate common program elements and needs. (See Chapter 3, Interagency Coordination, for more about coordination activities.)

### Summary of Past Accomplishments

Since LRWQCB waste discharge requirements were established in 1984, Placer County has completed numerous water quality projects and participated in many activities with the goal of helping to improve the quality of stormwater runoff. From 1984 to 2005, 50 water quality improvement projects were constructed throughout the County’s permit jurisdiction. Currently, there are 10 water quality improvement projects planned for construction between 2006 and 2011. Since approval of the EIP in 1997, additional state and federal grant funding has enabled an expansion of the County’s project delivery capacity.

Other activities related to stormwater management and water quality improvement that Placer County completed or routinely performed include:

- Distribution of a brochure ‘Stormwater Pollution Prevention for the Food Service Industry in Placer County’ in November 2004 to all Placer County food facility businesses that are subject to Health Department inspections.

- Holding workshops to publicize and gain input from the public about each water quality improvement project.
- Participation in and funding of workshops given by the Tahoe Resource Conservation District (TRCD) regarding BMPs for private property owners.
- Disbursing educational materials, displaying posters, and speaking with the public at North Shore Earth Day celebrations every year since 2002.
- Participation in the annual Snapshot Day for assessing water quality at sampling points throughout the north shore and Truckee areas.
- Implementing a water quality facilities maintenance efficiency plan. The maintenance efficiency plan furnishes quality control for the Public Works Department road maintenance activities. Facilities in the Tahoe Basin are inspected annually to evaluate condition and maintenance needs. The maintenance efficiency plan establishes a basis for the road crews to prioritize and perform maintenance tasks as resources permit.
- Annual analysis of traction sand for gradation and concentrations of various constituents.
- Annual tracking of traction sand application and removal efficiency.
- Creation of a BMP database. Placer County is developing a GIS database of all BMPs installed in the Tahoe Basin. The database will assist with management of the various facilities and will allow for efficient integration with new programs. The database will ultimately be tied into the Tahoe Integrated Information Management System (TIIMS).
- Establishment of a 24-hour “hotline” telephone and a website e-mail service for reporting of water quality concerns.
- Execution of multiple Memoranda of Understanding (MOU) with TRPA for County implementation and enforcement of TRPA requirements upon building and development processes.
- Replacement of diesel-powered County equipment with equipment that produces fewer emissions.
- Participation in the Stormwater Quality Improvement Committee (SWQIC). The SWQIC has made substantial progress in defining the process for execution of water quality improvement projects, interagency coordination, and prioritization of projects.

- Participation in the Lake Tahoe Interagency Monitoring Program (LTIMP). LTIMP meets regularly to discuss water quality monitoring, BMP effectiveness, and BMP technologies.
- Monitoring of the Tahoe City wetlands. Studies completed by the County to assess effectiveness of constructed wetlands to treat stormwater.
- Monitoring of the Kings Beach Fox Street and Coon Street detention basins to assess the effectiveness of sediment removal.
- Monitoring of the Upper Cutthroat water quality improvement project. New monitoring for the project has been initiated to assess the effectiveness of a recently constructed water quality improvement project and is anticipated to be completed by 2009.
- Establishment of County website pages devoted to presentation of water quality information.
- Monitoring of water quality improvement projects (CTC grant funded) for pre- and post-construction visual (photo) condition for two years after each project is completed.
- Project-specific monitoring under the LRWQCB General Construction Permit to monitor construction BMPs and assess project after construction until each site is considered stable.
- Active participation in TRPA's 'Pathway 2007' water quality working group. Pathway 2007 has the objective of consolidating environmental requirements and regulations of the various Tahoe Basin agencies.

## **CHAPTER 3. PROGRAM MANAGEMENT**

### **Introduction**

The Phase I permit contains requirements that inherently define management of the program, such as the need to prepare annual reports, administer construction projects in a defined manner, prepare monitoring and inspection reports, etc. Goals and priorities for program management are explained below.

### **Management Goals**

The primary goal of the program is to achieve compliance with the Phase I permit, which in turn is to comply with the Clean Water Act and other federal and state water quality regulations. This Plan outlines how Placer County approaches the stormwater quality program and guides staff towards these desired outcomes. The overall intent is to maintain a flexibly managed program that identifies and addresses local stormwater pollution prevention issues while responding to the needs of the communities and environment.

In order to achieve this primary goal, secondary goals for this permit term are as follows:

- Increasing public awareness of the effects of their activities upon water quality through public education.
- Increasing staff effectiveness by providing training to all involved personnel.
- Assisting business and residential compliance with the stormwater quality program by offering workshops and other educational opportunities to audiences within the community.
- Improving program strength by creating a stable funding plan.

### **Program Priorities**

To date, the emphasis of the Placer County stormwater quality program has been the construction of water quality improvement projects, including obtaining grant funding, project design, construction oversight, and monitoring after construction. This program, through this permit, will be expanded to include construction, commercial, industrial and residential site controls coupled with a facility inspection program. In addition, the County will continue to pursue water quality improvement projects as a main program focus and will emphasize water quality education to businesses, residents, and the development community. The County will continue an outreach program with respect to retrofitting private

properties with stormwater BMPs with support by the TRCD. Another priority will be providing training to Placer County personnel and targeted residential or business groups to influence behaviors that will reduce pollution potential and assist with program implementation.

The implementation tasks selected to address each Plan component in Chapter 5 will consider the following criteria:

- Placer County resources.
- Potential for successful execution.
- Expected effect upon water quality.
- Economic impact.
- Adaptability to future program changes.

### Exclusions

The Illicit Discharge Detection and Elimination BMP (Section 5-I) includes measures to control illicit discharges and improper disposal of wastes into stormwater. In the execution of this Plan element, Placer County will exclude the following categories of non-stormwater discharges that are not required to be addressed by the State:

- Water line flushing and discharges from potable water sources.
- Landscape irrigation and lawn watering.
- Diverted stream flows and irrigation water.
- Springs, rising groundwater, and flows from riparian habitat and wetlands.
- Uncontaminated groundwater infiltration.
- Uncontaminated pumped groundwater, foundation drains, footing drains, and water from crawl space pumps.
- Air conditioning condensation.
- Individual residential car washing.
- Dechlorinated swimming pool discharges.
- Firefighting flows.

The County does not intend to allow any other non-stormwater discharges (Section IV.C.3, pages 6 and 7 of the permit) that would require notifying the Regional Board. If any such non-stormwater discharges are identified in the future, the Regional Board will be notified per the permit requirements.

### Inter-agency Coordination

Placer County regularly cooperates with or relies upon external agencies for completion or assistance with various stormwater program activities.

The Phase I permit is shared with the County of El Dorado and the City of South Lake Tahoe. The three co-permittees have agreed to establish semi-annual coordination meetings to discuss matters of common concern. In addition to meeting regularly with LRWQCB staff via the 'NPDES coordination meetings', information is shared regularly among the jurisdictions through informal emails and telephone calls with staff members.

The Nevada Department of Transportation (NDOT) is consulted on matters of common concern regarding road maintenance practices. Placer County provides its road traction agent (sand) suppliers with the NDOT standard that specifies a durable, low-phosphorous, low-fines material.

The California Department of Transportation often provides guidance and leadership in matters regarding road construction and maintenance effects on stormwater quality.

Placer County and the Tahoe Regional Planning Agency (TRPA) cooperate under the guidance of several MOUs. Placer County reviews residential applications, issues permits, inspects, and provides final signoff of projects in accordance with TRPA Code of Ordinances. Placer County collects the TRPA mitigation fees and security for post-construction BMPs. Mitigation fees are forwarded to TRPA, and security is managed by Placer County personnel.

The California Tahoe Conservancy (CTC) is an independent non-regulatory State agency within the Resources Agency of the State of California. The CTC was established in 1984 to develop and implement programs through acquisitions and site improvements to improve water quality in Lake Tahoe, preserve the scenic beauty and recreational opportunities of the region, provide public access, preserve wildlife habitat areas, and manage and restore lands to protect the natural environment. The CTC awards grants and places conditions upon usage of grant money. Historically, the CTC has been the biggest contributor of grant funding for water quality improvement projects planned and constructed by Placer County. Future funding by the CTC is anticipated to facilitate completion of various water quality and stream environment zone restoration projects.

The United States Forest Service (USFS) is a federal agency, which administers grants through the Southern Nevada Public Lands Management Act (SNPLMA) and other programs. These grants are used to develop and implement programs through site improvement to improve water quality in Lake Tahoe, preserve the scenic beauty and recreational opportunities of the region, provide public access, preserve wildlife habitat areas, and manage and restore lands to protect the natural environment. The USFS awards grants and places conditions upon usage of grant money. Future funding by the USFS is anticipated to facilitate completion of various water quality and stream environment zone restoration projects.



The Lahontan Regional Water Quality Control Board (LRWQCB) is the California State agency responsible for the protection of water quality within the Lahontan region. The LRWQCB issues and oversees multiple permits affecting Placer County, including the municipal, industrial, and construction stormwater permits.

The Tahoe Resource Conservation District (TRCD) promotes the conservation and improvement of the Lake Tahoe Basin's natural resources by providing leadership, information, educational programs, and technical assistance to Tahoe land managers, owners, organizations, and residents. Placer County contracts with the TRCD to provide residential site evaluations, public education workshops, and technical assistance to homeowners to help them comply with TRPA's BMP retrofit requirements.

The Stormwater Quality Improvement Committee (SWQIC) is a subcommittee of the Tahoe Interagency Executives (TIE). The SWQIC was established to improve the design and effectiveness of stormwater quality improvement projects and increasing the efficiency of implementing water quality improvement projects. SWQIC is also a clearinghouse for sharing information between implementers, regulatory agencies and funding agencies on how projects are prioritized, planned, funded, designed, permitted, built and monitored. This information sharing benefits all members in better understanding opportunities and constraints with improving water quality in the Basin.

Placer County sometimes contracts with scientific research groups such as the Tahoe Research Group (TRG) and Desert Research Institute (DRI) for technical support on various monitoring efforts. The TRG conducted detailed monitoring and gathered insight on the pollutant treatment effectiveness of the Tahoe City wetlands facility and stormwater treatment basins in Kings Beach. In addition, DRI is assisting Placer County with a new monitoring project for a recently constructed water quality improvement project, the Upper Cutthroat Erosion Control Project in northeast Kings Beach. This project will attempt to quantify the amount of flow reduction through infiltration occurring on this particular water quality improvement project.

Placer County actively participates in the Lake Tahoe Interagency Monitoring Program (LTIMP) to keep informed of new BMP technologies, and to interact with both regulatory and implementing agencies regarding monitoring protocol, standards, and results to improve water quality project effectiveness.

Placer County works with the Lake Tahoe Environmental Education Coalition (LTEEC) to educate the public about how to prevent pollution of Lake Tahoe and ultimately reverse the trend of decreasing lake clarity. The LTEEC is a coalition sponsored by the University of Nevada Cooperative Extension and the University of California Cooperative Extension, with the goal of assisting many different groups and educational organizations in working together on environmental

education projects. An excellent example of LTEEC's work is the *Home Landscaping Guide for Lake Tahoe and Vicinity*, a guidebook to help people "develop vibrant, healthy and low-maintenance landscapes, and to improve water quality within the basin, helping to preserve Lake Tahoe's unique clarity and beauty."

#### Annual Planning and Reporting Activities

As required by the Phase I permit, an annual report detailing the previous year's stormwater quality program activities is regularly submitted to the LRWQCB. The renewed Phase I permit cycle commenced on October 12, 2005. The permit cycle runs for five years, with the next renewal due in October 2010. Reports are due annually in March (Monitoring and Reporting from Permit Appendix C) and May (SWMP Reports). Each annual report will detail information from the previous calendar year (e.g., January 1 to December 31). An annual program evaluation will be performed at the same time the annual report is created, and will be reported with the annual report.

Information to characterize the year's activities will be collected by staff throughout the year and evaluated for each January 1 through December 31. The annual Monitoring and Reporting Program is discussed in Chapter 6, Monitoring and Reporting.

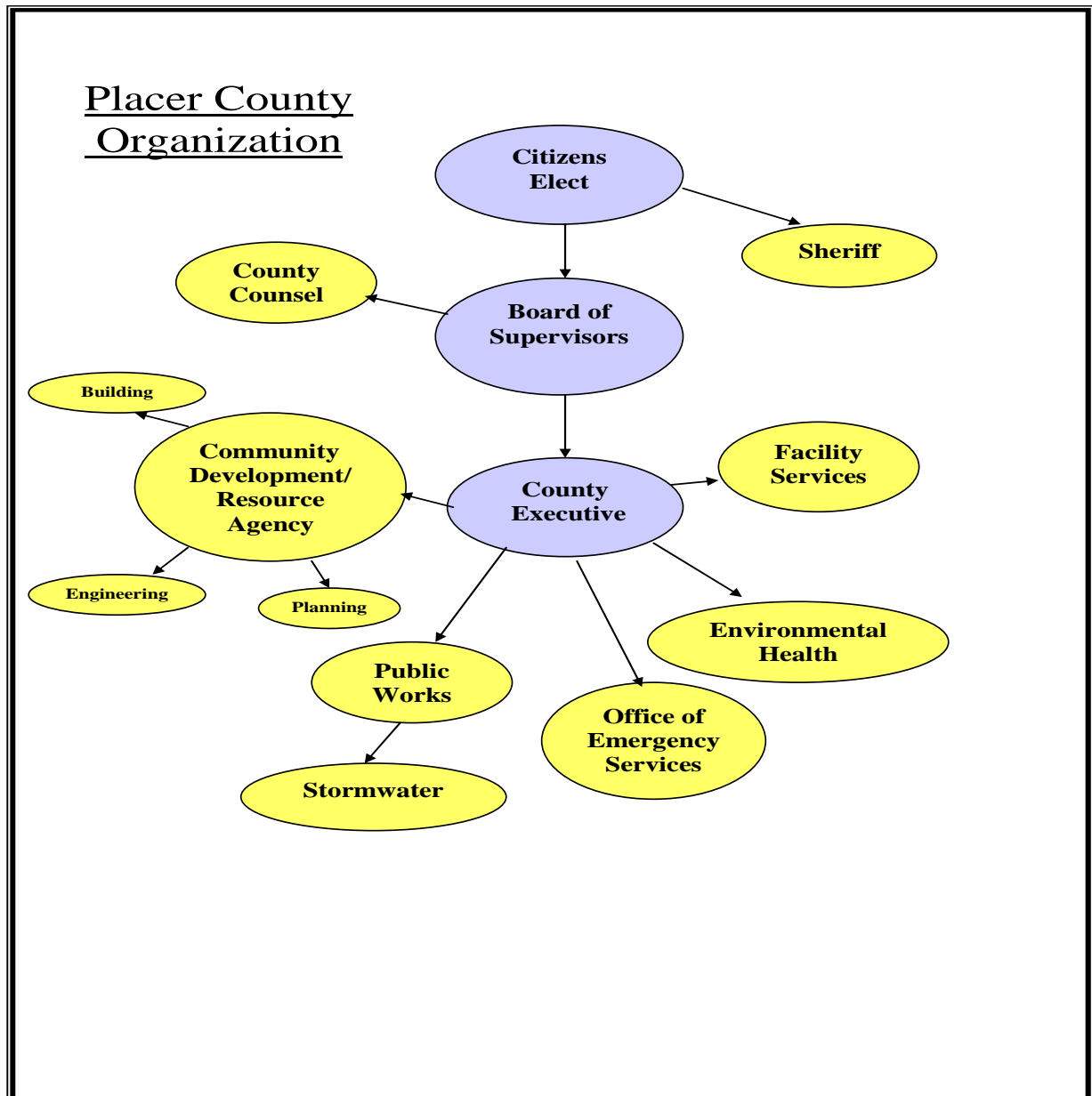
#### Intra-agency Coordination

The Placer County stormwater quality program is put into action by personnel in multiple departments (or sections of departments) including:

- Public Works;
- Community Development Resources Agency (CDRA) that includes Planning, Building, and Engineering Services Departments;
- Environmental Health;
- Air Pollution
- Office of Emergency Services;
- Facility Services;
- Sheriff;
- County Executive Office;
- County Counsel.

The Public Works Department leads the overall program coordination and management with substantial assistance and input from other departments as depicted in this Plan. Consultants are used as needed for specialized technical tasks such as monitoring and some project design. In 2005 Placer County created a new department, the Community Development Resources Agency, or 'CDRA', that oversees all development-related functions. CDRA acts as an

umbrella agency for the Building, Planning, and former Public Works Land Development section, now titled 'Engineering Services'. The Department of Public Works performs road maintenance, fleet management, traffic engineering, roadway capital improvements, water quality improvement projects, and the stormwater program. Departmental reporting relationships for purposes of the stormwater program are shown in Figure 3-1.



STORMWATER PROGRAM REPORTING RELATIONSHIPS  
FIGURE 3-1

Placer County has established an internal Stormwater Task Force made up of upper management representatives from participating departments. The task force is convened on an as-needed basis to meet and discuss stormwater quality program issues.

Responsible program contacts are shown in Table 3-1 below.

Placer County Department Contacts  
Table 3-1

Department	Responsible Contact	Telephone
Facility Services	Director	(530) 886-4900
Community Development Resources Agency	Director	(530) 745-7500
Engineering Services	Director	(530) 745-7500
Public Works	Director	(530) 745-7500
Environmental Health	Client Services Director	(530) 745-2300
Building	Chief Building Official	(530) 745-7487
Planning	Director	(530) 745-3000
County Counsel	County Counsel	(530) 889-4044
County Executive	County Executive Officer	(530) 889-4030
Emergency Services	Deputy County Executive Officer	(530) 886-5300
Air Pollution Control	Air Pollution Control Officer	(530) 745-2330

The County Executive Office is responsible for oversight of all Placer County business and for maintaining communication with the Board of Supervisors.

The Community Development Resources Agency is the umbrella agency overseeing all development related functions, including Building, Planning, and Engineering Services.

The Building Department is responsible for oversight of private structure construction and will assist with construction site stormwater compliance of private projects. The Code Enforcement Section personnel investigate reports of noncompliance with land use policies and will provide support for stormwater quality violations.

The Planning Department oversees the creation and implementation of land use policies, including the general and area plans, and processing of development projects up to the point of approval by the Planning Commission, other decision maker or other decision making body.

The Engineering Services Department assists Planning with placing conditions on proposed projects, and processes development projects after approval including improvement plan checking, map review, and inspection services. Construction inspection personnel will assist with construction site stormwater compliance.

The Public Works Department coordinates the day-to-day activities and administration of the stormwater quality program with substantial assistance and input from other departments. The Public Works Department is responsible for public roadway maintenance, fleet management, traffic engineering functions, roadway capital improvement projects, water quality improvement projects, and the stormwater program management.

The Facility Services Department is responsible for operation and maintenance of Placer County parks and county-owned buildings and grounds, including all non-roadway capital construction projects such as buildings and parks. Facility Services will assist the stormwater quality program by applying appropriate stormwater management principles to new Placer County building construction projects, parks management, and facility maintenance.

The Environmental Health Division of the Department of Health and Human Services is in charge of well and septic systems, food facility inspections, hazardous material business plans, kennels, and commercial pools. The division assists with applying stormwater quality BMPs and in enforcement of stormwater quality requirements for these facilities.

The Office of County Counsel assists with legal matters on an as-needed basis, including the development of legal authority documents and review of materials presented to the Board of Supervisors for approval.

The Office of Emergency Services is responsible for coordination of emergency response within Placer County, including hazardous materials spill response coordination by multiple agencies.

The Placer County Sheriff's Office has responsibility for administering the after-hours reporting line and for enforcement of illegal and criminal activity, within the scope of their responsibilities.

The Air Pollution Control District is a special district that enforces local, state and federal air pollution regulations. The District controls air pollution from stationary sources of air pollution in Placer County, monitors air quality, works with the State and local agencies to maintain and improve air quality, and administers the burn day program.

As was shown in Figure 2-1, the stormwater quality program is applicable to that portion of Placer County situated within the Lake Tahoe watershed. Within this area Placer County owns, operates, and maintains a number of facilities. Table 3-2 shows County facilities within the permit area and each facility's functions.

Placer County Facilities in the Tahoe Basin  
Table 3-2

County Facility	Address	Department	Section	Services
West Shore Office	565 West Lake Boulevard, Tahoe City	Community Development Resources Agency		Reviews private development plans. Issues development permits Inspects private development construction.
		Planning	Land Use	Creates planning documents (general plan, community plans, other policy documents). Provides planning information to public. Processes planning applications.
		Public Works	Roads	Issues and inspects encroachment permits.
		Auburn Code Enforcement	Code Enforcement	Investigates reports of land use and code violations.
		Health and Human Services	Environmental Health	Inspects food facilities. Inspects septic systems. Inspects public pool facilities. Manages hazardous materials program. Manages underground storage tank program.
		Building		Reviews building plans. Issues building permits. Inspects building permits.
West Shore Office Annex	505 West Lake Boulevard, Tahoe City	Assessor		Maintains and provides property information. Completes property tax assessments.
Carnelian Bay Office	5225 North Lake Boulevard, Tahoe City	Child Support Services		Locates parents and collects child support payments.
		Health and Human Services	Various divisions	Provides various medical and mental health services, plus animal control, public health laboratories.
		Health and Human Services	Environmental Health	Inspects food facilities. Inspects septic systems. Inspects public pool facilities. Manages hazardous materials program. Manages underground storage tank program.

County Facility	Address	Department	Section	Services
Burton Creek	2501 North Lake Boulevard, Tahoe City	Public Works	Road Maintenance	Provides road maintenance services.
		District Attorney		Superior Court and Tahoe City Court. Provides criminal justice system services.
		Sheriff		Provides law enforcement services.
Mental Health Services	2969 Lake Forest Road Suite 202, Tahoe City	Health and Human Services	Mental Health	Provides adult mental health and substance abuse services.
Community Clinic	8665 Salmon Avenue, Kings Beach	Health and Human Services		Provides outpatient medical, dental, and pharmacy care to adults and children.
Animal Shelter	849 Shelter Road, Tahoe Vista	Health and Human Services	Animal Control	Provides animal control services and maintains the animal shelter.
Library	301 Secline, Kings Beach	Library		Provides library services.
Library	740 North Lake Boulevard, Tahoe City	Library		Provides library services.

## Budget and Staffing

Placer County dedicates 12 full-time staff positions in the Department of Public Works, Tahoe Engineering Division office for water quality improvement projects:

- 1 Senior Engineer
- 3 Associate Civil Engineers
- 4 Assistant/Junior Engineers
- 2 Engineering Technician
- 1 Administrative Technician
- 1 Administrative Clerk

The proposed 2006-07 Fiscal Year budget for the Tahoe Engineering Division of the Department of Public Works for EIP water quality projects is \$16.35 million. Of this, \$1.44 million is County labor cost; \$2.03 million is right-of-way acquisition cost, \$7.83 million is project construction and management cost; and \$5.05 million is design and permitting cost by professional consultants.

Water quality improvement projects are funded through grants from the USFS, which include funds from SNPLMA, CTC, and the TRPA mitigation fund. Administrative overhead for water quality improvement projects is generally not eligible for grant reimbursement, and is therefore funded through Placer County's General Fund or Road Fund. Placer County DPW's Tahoe Road Maintenance division also commit an estimated one full-time equivalent position on maintenance activities associated with stormwater quality facilities which is funded by Road Funds.

Public Works personnel in Auburn, California, coordinate and manage the County's stormwater quality program. They include a Public Works Manager, Associate Engineer, and two new positions proposed in next year's (2006-07) budget. The Community Development Redevelopment Agency is proposing a new position to enhance TRPA Memorandum of Understanding implementation including water quality compliance. Personnel in other departments (see Figure 3-1) also assist the stormwater quality program with numerous unquantified contributions to the Tahoe program.

A commitment to perform a fiscal analysis of the activities needed to support the Plan and to provide long-term funding for ongoing Plan activities is contained in Section 5-L (Fiscal Analysis component).



## **CHAPTER 4 LEGAL AUTHORITY**

The LRWQCB has requested that Placer County demonstrate adequate legal authority to enforce the provisions of the Phase I permit and this Plan. In addition to the authority provided by the Federal Clean Water Act and State Porter Cologne Water Quality Act controlling discharges of pollutants to waterways, there are a number of existing Placer County codes, ordinances, and policies that provide authority for enforcement of the Phase I permit requirements. These Placer County authorities are summarized in Table 4-A. Placer County personnel will evaluate these existing authorities to determine adequacy to enforce the provisions of the Phase I permit and the Plan. To the extent that the County is legally able and the Board of Supervisors authorizes such changes, additional authority will be created through new or amended codes, policies, or ordinances. Proposed activities, including the commitment to review current County code and create new authority if needed, are shown in Table 4-B.

Enforcement will be administered according to existing Placer County legal authority (Table 4-A) unless/until modified, as discussed above. Reports of potential illicit discharges or connections may be received from any of a number of sources, including reports from the public, from other agency personnel, during scheduled dedicated inspections, or by reports from County personnel making observations in the course of their regular duties. Once the report reaches stormwater section personnel, the appropriate field personnel to investigate will be identified and assigned. Field personnel performing stormwater inspections are anticipated to keep records of any stormwater violations. If matters to be corrected are identified, inspectors will be empowered to enact first level enforcement, and will be asked to create a record of the inspection and resolution of the issues for reporting purposes to the Regional Board. If the site inspector is not able to facilitate compliance in a timely manner, or if the issue is sufficient to warrant stronger action, they will have the option of asking for assistance from County stormwater program staff, referral to the County Code Enforcement or other section as appropriate, or referring the matter to another agency such as the Regional Board for action if considered serious enough.

Existing Placer County Legal Authority  
Table 4-A

Authority Source	Provisions	Effect on Stormwater Quality Program
County Code Section 1.24.010	Provides mechanism for enforcement of County codes and provides for penalties.	Enforcement provisions for all County codes.
County Code Section 1.28.010	Provides for right of entry to private property for purposes of enforcement of County codes and ordinances.	Right of entry to enforce County ordinances.
County Code Section 8.16.265 (Solid Waste Ordinance)	Requires use of bear-proof waste containers	Prevent release of litter.
County Code Section 8.16.050	Requires that solid and liquid waste systems shall be operated in such a manner so as not to substantially contribute to pollution	Prohibit non-stormwater discharges.
County Code Section 8.16.140	Requires that construction site wastes be stored properly and removed regularly. Requires that solid waste containers be covered.	Prevent release of construction site wastes and garbage. Prohibits release of garbage, litter, or liquid waste from trash receptacles.
County Code Section 8.16.100	Prohibits disposal of tires in waterways.	Prohibition of a non-stormwater discharge.
County Code Section 10.24 (Abandoned Vehicle Ordinance)	Prohibits abandonment of vehicles and provides for removal and clean up of abandoned vehicles.	Prohibit and/or clean up of garbage and waste from abandoned vehicles.
County Code Section 12.04 (Public Roads and Highways Ordinance)	Requires encroachment permit for alterations to County-owned facilities.	Control illicit connections to County storm drains.
County Code Section 12.28.040	Prohibits discharge of sewage, treated or otherwise, to waters of the County without permit.	Prohibit illicit discharges to County waterways.
County Code Section 12.28.180	Pollution prohibited. Makes it unlawful for any person to cause the water quality of any lake, river, or stream to be altered from previously established water quality.	Makes it unlawful to contribute to a degradation in water quality.
County Code Section 15.48.020 (Grading Ordinance)	Prohibit pollution of watercourses by hazardous materials, nutrients, sediments, or earthen materials.	Imposes ability to require BMPs and control non-stormwater discharges from grading operations. Requires erosion and sediment control plans for grading.

Authority Source	Provisions	Effect on Stormwater Quality Program
County Codes Section 17.62.160 (Nuisance Abatement)	Defines uses contrary to the provisions of County Code to be nuisances and provides for abatement processes.	Allows County to mitigate circumstances contributing to water pollution.
County Code Section 18.04 (Environmental Review Ordinance)	Requires mitigation of environmental impacts for projects.	Require mitigation of stormwater impacts from new development.
Placer County Land Development Manual Section 15.01	Requires the use of water quality improvement measures.	Prevent sediment discharges from erosion of development projects.
Placer County Land Development Manual Section 17.01	Requires the use of both source and treatment control BMPs for new and redevelopment projects.	Apply construction and post-construction BMPs to new and redevelopment projects.
Placer County General Plan	Multiple policies.	Guides and controls development practices to encourage or require appropriate water pollution prevention features.
Subdivision Ordinance	Allows imposition of conditions on subdivision applications.	Mechanism for applying BMPs and requiring maintenance thereof.
Zoning Ordinance	Allows imposition of conditions on commercial, industrial, and other development applications.	Mechanism for applying BMPs and requiring maintenance thereof.

Legal Authority Component Tasks  
Table 4-B

Tasks	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
4-B(a) County to have legal authority to enact and enforce provisions municipal permit and SWMP.	Public Works, County Counsel, County Executive	Provide statement by legal counsel if the County does or does not have adequate legal authority to implement and enforce each of the requirements in 40CFR 122.26(d)(2)(i)(A-F) and the municipal permit. Include items identified in permit section VI (B). Plan. If so, a plan, with timeline, to develop authority will be provided.	Certified statement completed	October 12, 2006
4-B(b) Plan for additional legal authority	Public Works, County Counsel County Executive	Provide a detailed plan describing how adequate legal authority shall be developed including timeline and milestones if adequate authority does not exist .	Plan completed	Ongoing

## **CHAPTER 5. PROGRAM IMPLEMENTATION**

### **General**

Chapter 5 depicts the task and subtask activities of each component of the stormwater quality program. For ease of orientation, the Plan components presented below are organized and titled to match the October 2005 NPDES permit (Sections VII, VIII and IX) issued by the LRWQCB. The components include:

- 5-A Retrofit
- 5-B Construction
- 5-C Industrial
- 5-D Commercial
- 5-E Residential
- 5-F Road and Facility Inspection
- 5-G Traction Abrasive and Deicer Application and Recovery
- 5-H Education
- 5-I Illicit Discharge Detection and Elimination
- 5-J Public Participation
- 5-K SWMP Effectiveness
- 5-L Fiscal Analysis
- 5-M SWMP Revision and Implementation
- 5-N Impaired Waterbodies and TMDL

The tasks to address each Plan component are detailed in the following sections. Each includes an introductory explanation, description of any significant features, and a table summarizing subtasks. The tables provide this information about each subtask:

- Tasks - Performance elements to accomplish the component objectives.
- Implementing Entity - Identification of entity responsible for carrying out the task.
- Activity - Description of activities to plan and/or accomplish the task.
- Measurable Goal - Measures to be used for determining completion/success of the task.
- Completion Date/Frequency – The date the task is due, frequency of reporting, or frequency of the task activity.

Each component, where applicable, will include best management practices (BMPs) as specified in the Municipal permit Section VII and XI-C.

### **5-A Retrofit**

Until this most recent municipal permit cycle, construction of water quality improvement projects (sometimes referred to as erosion control projects) had been the core of the Placer County Tahoe stormwater program. Fifty erosion control projects have been completed since 1984. See Table 5-1 for a list of the completed and pending projects.

Eleven full-time staff in the Public Works Department located at the Truckee office are dedicated to programming and delivery of these Tahoe Basin projects, with the goal to provide source control as well as disperse, infiltrate and treat stormwater before it reaches the Lake. Water quality benefits stem from removal of fine sediment and nutrients, and reduction in the amount of stormwater entering the lake.

Placer County  
Completed and Proposed  
Water Quality Improvement Projects  
Table 5-1

PROJECT NAME	CONSTRUCTION YEAR	PROJECT NAME	CONSTRUCTION YEAR
Agate Bay	1989	Kings Beach	1996
Agate Road	1995	Kings Beach CCIP	2010
Agate Road Phase II	1995	Kings Beach Industrial	2009
Agate Road Phase III	1995	Kings Beach Residential	2009
Alpine Peaks 1A	1990	Kingswood West I	1992
Alpine Peaks 1B	1991	Kingswood West II	1992
Alpine Peaks II	1990	Lake Forest	2010
Bearing Drive	1985	Lake Tahoe Park	2006
Beaver Street	2003	McKinney Rubicon Springs	1985
Brockway	2007	National Ave	2000
Burton Creek	2000	Nightingale Road	1992
Carnelian Drive	1989	Nile Road	2002
Carnelian Woods	1990	Old County Road	1987
Chambers Lodge	1996	Ridgewood	1994
Deer Street	1994	Sequoia Avenue	1985
Dollar Point	1988	Skyland I	1987
Estates Drive	1990	Skyland II	1991
Fern Street	2002	Snow Creek	2001
Forest Road	1995	Tahoe City Residential	2008
Fox Street I	1985	Tahoe City UIP	2000
Fox Street II	1994	Tahoe Estates	2008
Griff Creek I	1984	Tahoe Park Heights	1996
Griff Creek II	1994	Tahoe Pines	2008
Holly Road I	1990	Tahoe Swiss Village	1988
Holly Road II	1992	Tahoe Transit Facility	2008
Homewood	2011	Talmont	1988
Homewood Canyon	1998	Tamarack Road	1989
Kailua Park I	1991	Timberland	2005
Kailua Park II	1994	Trout Street	1989
McKinney Estates	1990	Ward Creek Blvd	1984
West Sunnyside	2008		

Figure 5-1 includes the next generation of ten projects anticipated to be completed between 2006 and 2010. Placer County will continue to implement these projects as

long as funding is available. Planning for future water quality improvement projects will be somewhat contingent upon development of the TMDL. TMDL information will help prioritize projects with respect to attaining highest water quality benefits along with additional project-level water quality monitoring data to be collected over the next few years.

Upcoming projects are currently prioritized by starting with the TRPA EIP list to identify potential projects. The funding agency(s) are consulted to identify their priorities among potential projects. Thereafter the choice of project tends to be a highly collaborative effort between the funding agencies, regulatory agencies, and Placer County Public Works staff in the Truckee engineering office.

Per the permit, an amended database of completed water quality improvement projects in Placer County will be prepared, containing the number and location of installed BMPs, the treated watershed area, amount of impervious area, land use, and discharge points. The Truckee staff currently keeps data about the projects in an Excel database to facilitate monitoring of all constructed stormwater BMPs. This existing information and the additional required information will be consolidated into a water quality project inventory database. To the extent practical, DPW will incorporate information from an existing water quality database (available on the web at <http://www.ntcd.org/documents.htm>, by the Nevada Tahoe Conservation District with the collaboration of numerous other agencies) into the County-level database. Additional information will be developed by extracting it from the project documents and by fieldwork with GPS units. It is anticipated that necessary field work will take place during the summers of 2006, 2007 and 2008 and that the database will be amended throughout the fall and winter of 2008 scheduled for rollout by May 1, 2009.

The County will continue to endeavor to design all erosion control and stormwater treatment projects to meet the water quality goals and other requirements of the Permit, including numeric effluent limitations, designing to the erosion control project preferred design approach and use of the sediment source control handbook. Plan component 5-A(b) describes Placer County's commitment to performing additional water quality monitoring on behalf of water quality improvement projects if sufficient Placer County personnel and funding are available.

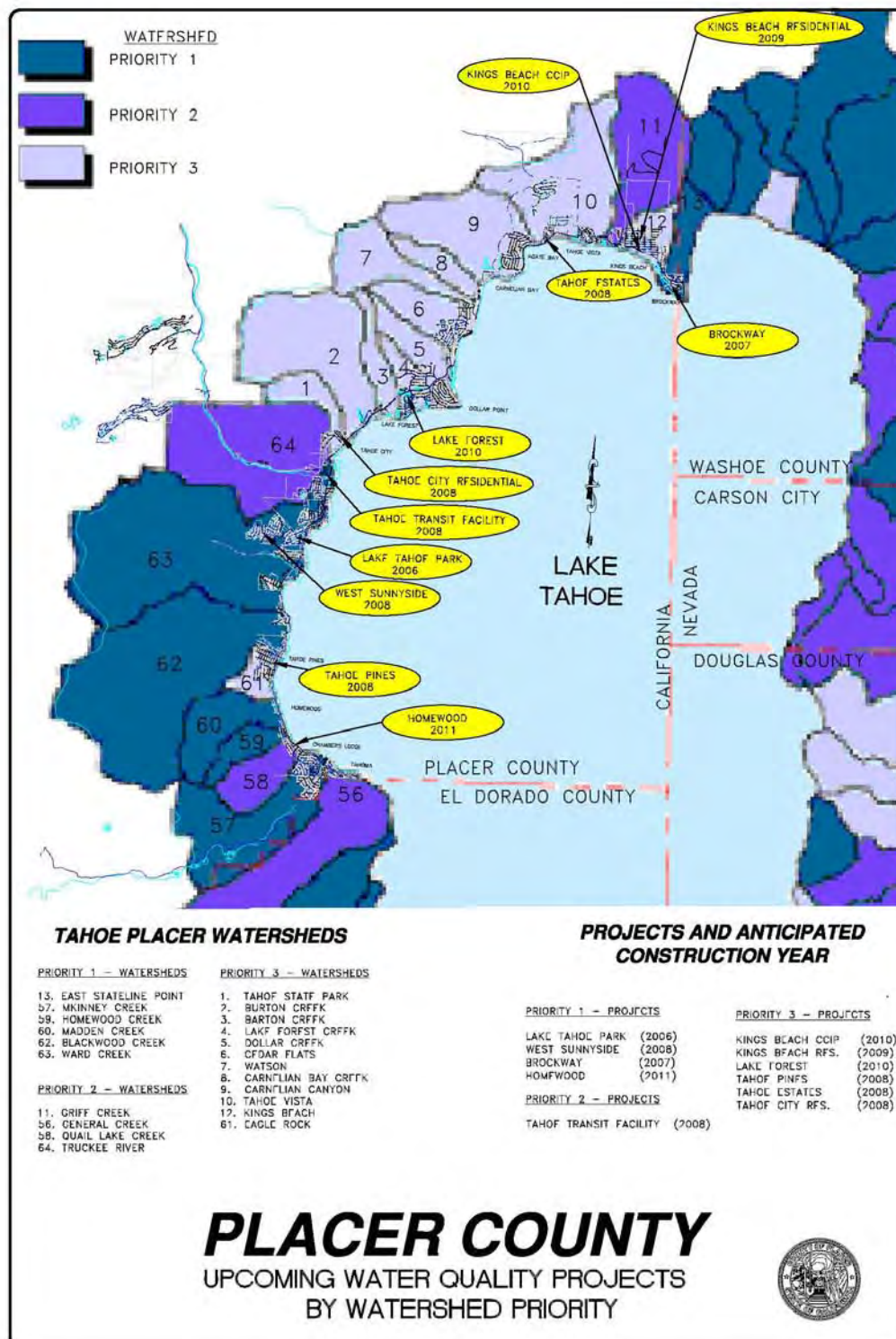


FIGURE 5-1



SWMP Retrofit Component Tasks  
Table 5-A

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-A(a) Plan, design, and construct water quality improvement projects	Public Works	Continue to pursue grant funding for retrofits; plan, design and construct projects; Monitor projects after completion according to individual project requirements.	As many grants as practical with resources that are available.	Ongoing.
5-A(b) Plan all future projects, as funding is available, per the SWQIC processes and project delivery tools. Track TMDL development.	Public Works	Annually update water quality improvement project list based on TMDL information and funding availability. SWQIC processes such as preferred design approach, source control, etc	Annual update and review.	Ongoing.
5-A(c) Detailed plan and schedule to develop and implement a project tracking database.	Public Works	Develop a plan for a database to include number of BMP's, location, treated area, impervious area, land use, and discharge point(s). Develop database milestones and provisions for reporting progress.	Initial plan developed by deadline with development milestones established.	May 1, 2007
5-A (d) Database maintenance	Public Works	Report progress, updates, and modifications	Annual review/update completed	Annually on May 1

## **5-B Construction**

### **Grading Ordinance Review**

A review of construction processes and the grading ordinance resulted in changes of the grading ordinance in order to comply with the permit requirements. The grading ordinance revisions were approved by the Placer County Board of Supervisors on April 3, 2006. A number of revisions were implemented to enhance water quality protection and to bring consistency with existing Phase 1 and Phase 2 permits. Two significant changes are expected outcomes for the Phase 1 permit area:

- Grading permits will be required for all construction in the Tahoe Basin where three or more cubic yards of earthwork is to occur and in those cases, permittees must abide by an equivalent set of erosion control criteria listed in Section VII.B.2 (pp. 14-15 of permit). A copy of Placer County's updated grading ordinance is attached as Appendix A.
- CDRA will attempt to secure additional personnel to support the additional permitting workload, and anticipated increase in stormwater compliance inspections.

In addition, the grading ordinance includes the following BMPs or equivalent:

- A. Erosion prevention.
- B. Slope stabilization.
- C. Phased grading and realistic scheduling to ensure projects are complete or winterized by October 15 of each year.
- D. Revegetation/soil stabilization as early as feasible.
- E. Native/existing vegetation preservation.
- F. Stream Environment Zone protection.
- G. Source control and temporary construction BMP maintenance.
- H. Retention and proper management of sediment and other construction pollutants on site.

The grading ordinance shall be reviewed and updated when necessary to ensure continued compliance with the permit.

### **Construction and Grading Approval Process**

The County requires each proposed construction and grading project that involves more than three cubic yards of soil disturbance to implement measures to reduce pollutant discharges from the construction site. The following requirements are part of the County's grading and construction permits:

- A. Require project proponent to develop and implement a plan to manage storm water and non-storm water discharges from the site at all times;
- B. Require project proponent to emphasize erosion prevention as the most important measure for keeping sediment on site during construction;
- C. Require project proponent to utilize sediment controls as a supplement to erosion prevention for keeping sediment on-site during construction, and not as the single or primary method;
- D. Require project proponent to minimize areas that are cleared and graded to only the portion of the site that is necessary for construction;
- E. Require project proponent to minimize exposure time of disturbed soil areas;
- F. Require project proponent to temporarily stabilize, reseed and/or mulch disturbed soil areas as rapidly as possible;
- G. Require project proponent to mulch, revegetate, landscape, or otherwise stabilize disturbed areas as early as feasible;
- H. Require project proponent to stabilize all slopes;
- I. Require project proponent to winterize all graded areas no later than October 15 of each year; and
- J. Require project proponents subject to the General NPDES Permit for Storm Water Discharges Associated With Construction Activities in the Lake Tahoe Hydrologic Unit (hereinafter General Construction Permit) to provide evidence of coverage, or application for coverage, under the General Construction Permit.

#### Source Identification and Prioritization

A construction site inventory as of May 1, 2006 has been compiled from Placer County building and grading permit records (Appendix B). The inventory will be actively managed as permits are issued and finalized. An updated inventory will be provided yearly with the annual report.

These construction sites will be prioritized, and stormwater compliance inspections for all construction sites under permit with the County during the construction season (May 1 through October 15) will be conducted according to this schedule:

High priority:           Weekly.  
Normal priority:       Monthly, or more frequently if necessary to ensure compliance.

The application reviewers will be given the responsibility to initially prioritize sites for inspection by classifying as high or normal threat to water quality by considering:

1. Soil erosion potential (using TRPA land classification as a minimum guide);
2. Steepness of site slope;
3. Project size and type;
4. Stage of construction;
5. Proximity to the Lake or an SEZ; and
6. Sites and/or contractors with a previous history of non-compliance.

Plan checkers, stormwater personnel, and construction inspectors will all have authority and responsibility to evaluate and change the priority anytime during project review or construction, should conditions or new information warrant. Construction site compliance will be administered by the site inspector according to the process described in Chapter 4 of this SWMP. A site prioritization plan was submitted on May 1, 2006 to the Lahontan Board and is included in Appendix B.

### Inspection of Construction Sites

Placer County has established procedures for applying and enforcing construction site stormwater pollution control measures, including site plan reviews, required erosion and sediment control and BMP implementation. Current site inspections already meet the majority of the municipal permit's construction site requirements. Building permits, encroachment permits, and some non-residential grading permits are issued at the Placer County office in Tahoe City, while all other environmental, project conditioning, and project approval processes occur at the Placer County offices in Auburn. County construction and building inspectors have been trained in stormwater quality construction BMPs and issue informational notices with each permit. Field inspection includes plan and stormwater quality compliance. Inspections are logged inspection records. Any site with a stormwater quality issue is noted on the inspection sheet and project proponent is notified, given a deadline for when corrections shall be completed, and scheduled for a re-inspection as appropriate. Current enforcement mechanisms are included within the current county permits and codes. A draft stormwater ordinance (Appendix C) is currently being reviewed and will assist with enforcement when adopted (target date December 06).

### Construction Activity Education

The County currently holds several construction/municipal training workshops each year. These include training for staff, project applicants, contractors, developers, property owners, and other responsible parties. Additional details for the construction education program is described in section 5-H (Education component).

SWMP Construction Component Tasks  
Table 5-B

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-B(a) Revise grading ordinance to apply to all construction sites moving 3 cubic yards or more soil.	Engineering Services, Public Works	Revised ordinance approved by the Board of Supervisors	Updates made as necessary	Completed April 13, 2006 (Permit required by May 1, 2009)
5-B(b) Update construction and grading project requirements in local grading and construction permits	Public Works, Engineering Services, Building, TRPA, TRCD, LRWQCB	Review site erosion control and BMP implementation plans. Educate field personnel, public, and contractors in correct inspection and BMP implementation practices.	All required sites have implemented effective stormwater quality BMPs	Ongoing.
5-B(c) Conduct construction site inspections for compliance with county ordinances and permits and with the Municipal Permit	Public Works, Engineering Services, Building, TRPA, LRWQCB	Inspect all sites for compliance with local ordinances. Require a WDID number of proof that NOI was filed prior to permit being issued.	All sites inspected at appropriate frequencies	Ongoing
5-B(d) Create active construction site inventory and update as needed to support construction program and site prioritization	Public Works, Engineering Services, Building	Prepare an active construction site inventory and prioritization database plan.	A complete inventory of all active construction and grading permits. Prioritization plan completed	Submitted May 1, 2006
5-B(e) Update construction site inventory as needed to support construction program and site prioritization	Public Works, Engineering Services, Building	Maintain an active construction site inventory and database prioritization	Data input and maintained produce desired reports	Annually, May 1
5-B(f) Implement construction education program	Public Works, Building, Planning, Facility Services, Environmental Health, Engineering Services	Train involved Placer County personnel, contractors, owners and engineers. And/or participate in development community workshops. Distribute construction site BMP information with development applications.	Conduct or participate in at least one training course annually.	Annually

## **5-C Industrial**

The objective of this SWMP component is to identify industrial land uses in the Tahoe Basin portion of Placer County and develop and apply criteria to prioritize such uses according to threat to water quality.

### **Source Identification**

Industrial land uses within Placer County will be identified using land use and zoning information from the Planning Department, Assessor's Office, and if needed, site reviews. Industrial sites will include the following at a minimum, and any other industrial uses defined as such by the Placer County code:

- Manufacturing facilities
- Hazardous waste treatment facilities
- Solid waste transfer stations
- Recycling facilities
- Transportation facilities
- Wastewater treatment facilities

### **Threat to Water Quality Prioritization**

A prioritization system based upon potential threat to water quality will be developed considering:

- Type of industrial activity
- Materials used in industrial processes
- Wastes generated
- Pollutant discharge potential
- Non-stormwater discharges
- Size of facility
- Proximity to receiving water bodies
- Other factors deemed relevant

### **Site Outreach**

A program will be developed to distribute information to high priority sites stressing the importance of stormwater runoff control and stormwater pollution prevention. Distribution materials will also reference County ordinances, other regulatory measures, and enforcement mechanisms applicable to industrial site runoff.

Industrial land uses subject to State industrial stormwater NPDES permits will be identified, and compared to the State's database of permits. The Regional Board will be notified of any non-complying industries identified by Placer County. Enforcement will be applied as described in Chapter 4.

SWMP Industrial Component Tasks  
Table 5-C

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-C(a) Develop inventory of industrial sites	Public Works, Planning, Assessor	Create a list of industrial sites in the Placer Tahoe Basin.	Initial list created	May 1, 2007
5-C(b) Update inventory of industrial sites	Public Works, Planning, Assessor	Update list of industrial sites in the Placer Tahoe Basin.	List updated	Annually, May 1
5-C(c) Industrial site prioritization	Public Works, Environmental Health	Create a detailed plan to conduct industrial site prioritization based on threat to water quality.	Prioritization plan completed	May 1, 2007
5-C(d) Education program for high priority industrial site operators	Public Works, Environmental Health	Deliver educational outreach materials or training to high priority industrial site operators.	Outreach effort (handouts or training) following completion of prioritization at least once annually	Annually
5-C(e) Notify the State of non-complying industries.	Public Works	Identify industrial users subject to State industrial stormwater permits without such permits, and notify the State.	List of all non-complying sites (if any) reported to the Regional Board	Annually, May 1

## **5-D Commercial**

Under this component, reduction of pollution from commercial sites will be targeted.

### **Source Identification and Prioritization**

Potential commercial sources will be identified, inventoried and then prioritized by threat to water quality. The commercial site inventory will consider at a minimum the following businesses:

- All types of automotive
- Equipment repair, maintenance, fueling, or cleaning
- Fueling sites
- Eating and drinking businesses
- Mobile cleaners
- Concrete mixing or cutting
- Painting and coating
- Golf courses, parks and recreational facilities
- Pool and spa maintenance
- Snow removal
- Other commercial sites/sources that may contribute a significant load to storm water collection, conveyance, and treatment facilities

From this inventory list high priority sites will be identified using the following criteria:

- Type of commercial activity
- Materials used in commercial activity
- Wastes generated
- Pollutant discharge potential
- Non-stormwater discharges
- Size of facility
- Proximity to receiving water bodies
- Other factors deemed relevant

### **Site Inspection**

A program of commercial site inspections will be initiated for high priority uses, including inspection of commercial food facilities by the Placer County Health Department and other identified high priority uses. High priority commercial land uses will be inspected every other year after initiation of the program. Until such time as additional personnel are available, existing County personnel performing fieldwork must take on the additional responsibility of commercial site inspections.

### **Site Enforcement**

Follow up enforcement action and inspection documentation will be applied as described in Chapter 4 as well as describe in Table 5-D.



SWMP Commercial Component Tasks  
Table 5-D

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-D(a) Prepare inventory of commercial facilities	Public Works, County Assessor, Planning	Create inventory of high priority threat to water quality commercial activities and sites	Initial list created	May 1, 2007.
5-D(b) Update inventory of commercial facilities	Public Works, County Assessor, Planning	Update inventory of high priority, threat to water quality commercial activities and sites.	List Updated	Annually, May 1
5-D(c) Inspect high priority commercial sites.	Public Works, County Executive, Environmental Health, others.	Biennial inspections performed at high priority sites. Implement follow-up actions necessary to comply with Municipal Permit	Sites inspected as required	Ongoing
5-D(d) Enforcement of stormwater ordinance and other regulatory mechanisms	Public Works, Building	Develop, implement, and enforce a stormwater ordinance. Enforce other water quality regulations. Enforce compliance with county ordinances and the Municipal permit	Record of the number of enforcement actions taken.	Annually

## **5-E Residential**

Under this SWMP component, reduction of pollution from residential sites will be targeted through education and enforcement activities. Placer County currently cooperates with TRPA under a series of Memoranda of Understanding that obligate the County to enforce certain TRPA regulations, including residential stormwater BMP installations and construction inspection activities for new development activity.

### **Threat to Water Quality Prioritization**

Placer County reviews residential project applications, issues building, grading and encroachment permits, performs site inspections for building and grading plan and stormwater BMP compliance, and provides final signoff of projects in accordance with TRPA Code of Ordinances and applicable County ordinances (including the County's revised grading ordinance). Placer County collects the TRPA mitigation fees and security for post-construction BMPs. Mitigation fees are forwarded to TRPA, and security is managed by Placer County personnel.

A prioritization system that identifies high priority residential areas based upon potential threat to water quality will be developed considering, at a minimum:

- Automobile repair and maintenance;
- Off-pavement automobile parking;
- Home and garden care activities and product use (pesticides, herbicides, and fertilizers);
- Disposal of household hazardous waste (e.g., paints, cleaning products);
- Snow removal activities;
- Domestic animal and/or livestock wastes;
- Any other residential source that the Permittee determines may contribute a significant pollutant load to its storm water collection, conveyance, and treatment facilities.

Placer County supports the TRPA residential BMP retrofit program by providing information to the public at the County's Tahoe City office where Building, Planning, Engineering Services and Environmental Health Departments personnel reside. Brochures and other materials describing the program are available at the office counter. The County provides front line information to the public when telephone or in-person inquiries are made. The County provides funding to the Tahoe Resource Conservation District (TRCD) to support residential and public school BMP retrofit efforts including funding office space in Tahoe City for TRCD personnel. Public Works personnel in our Truckee office also provide focused outreach to homeowners associations and neighborhood meetings in water quality improvement project areas. Placer County regularly interacts with TRPA in defining residential BMP implementation priorities for the retrofit program.

The County will assist residential BMP implementation in high priority areas by:

- Examination of DPW's BMP maintenance records.
- Visual evaluation of potential sources of pollutants in residential neighborhoods. This evaluation will occur at least twice per year during facility monitoring inspections.
- Discussion with TRCD personnel to identify the most significant residential pollutant sources.
- Consideration of TRPA watershed priorities and BMP retrofit compliance data.

#### Activities, Outreach, and Enforcement

Outreach and education efforts will be focused on identified priority pollution sources, and in general will emphasize source control BMPs that target sediment reduction, nutrient control and minimizing non-stormwater discharges.

Enforcement will be as described in Chapter 4 and as identified in Table 5-E to meet permit section VIII-E-4 requirements. In addition, the County currently has a draft of a Stormwater Ordinance that includes the Lake Tahoe Basin.

SWMP Residential BMPs Component Tasks  
Table 5-E

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-E(a) Identify high priority residential areas and activities.	Public Works, Engineering Services, Building	Create list of high priority residential areas and activities that pose the greatest threat to water quality.	List Completed	Ongoing
5-E(b) Create and distribute public outreach materials to residential high priority targets	Public Works, County Executive Office, Building, Engineering Services	Create and distribute materials. Keep records of the number of materials distributed Continue to support residential TRPA BMP retrofit program and other agencies programs. Participate in activities and events promoting BMP retrofit (TRCD, TRPA) efforts.	Distribute materials at least once annually	Ongoing
5-E(c) Enforcement of stormwater ordinance and other regulatory mechanisms	Public Works, Building	Develop, implement, and enforce a stormwater ordinance. Enforce other water quality regulations. Enforce compliance with county ordinances and the Municipal permit	Record of the number of enforcement actions taken.	Annually

## **5-F Road and Facility Inspection**

This SWMP component includes Placer County's activities to reduce stormwater pollution from public stormwater collection and conveyance facilities. Activities include inspection of public road and drainage facilities and construction and post-construction BMPs for Placer County projects. Placer County personnel will be trained in stormwater quality protection practices, stormwater treatment/protection facility inspection, and the use and maintenance of BMPs.

### **Stormwater Collection and Conveyance Inspections**

The Public Works Department currently inspects public drainage facilities in the Tahoe Basin each spring to evaluate condition and maintenance needs (inspections include facilities identified in Sections VII.F.1 and VII.F.2 of the permit [pp. 19-20]). Facilities are also inspected each fall to verify completion of maintenance tasks and evaluate any newly identified issues. Monitoring activities and identified maintenance needs are recorded in a database, which includes the inspector's name, date, observed facility conditions, assessment of needed maintenance or follow-up activities, and assigned priority. The maintenance crews use this information to determine maintenance sequence for the remainder of the year. In the course of the road facility inspection or other normal duties, County staff will also begin identifying potential sources of pollution from private sources, and will begin referring any identified needs to the appropriate County staff or other agency for action, correction or enforcement. The facilities inspection database will include all the municipal permit requirements, including annual inspection of: storm drain inlets, pipes, culverts, curb and gutter, asphalt dikes, rock lined or vegetated swales, and any other storm water collection and conveyance device for signs of needed maintenance, evidence of erosion, damage from snow removal or other equipment, and for accumulated sediment and debris (pine needles, trash, etc.).

County staff will continue to utilize appropriate construction BMPs for all County maintenance activities and construction projects.

### **Stormwater Treatment Facility Inspections**

The County shall inspect its storm water treatment facilities at least once annually and maintain a database of inspection findings. Inspection will include storm water treatment basins, treatment vaults, treatment swales, wetland treatment systems, and any other storm water treatment facility for signs of needed maintenance, evidence of erosion, accumulated sediment and debris, (pine needles, trash, etc.), and vegetative cover, if applicable. All inspection findings shall be documented and reported in accordance with the Monitoring and Reporting Program Appendix C of the Municipal Permit.

### Road Shoulder Inspection

The County will inspect road shoulders within its jurisdictional boundaries at least once annually for evidence of erosion and document all problems. Problems involving maintenance needs will be prioritized and scheduled for correction. Matters best resolved through capital improvement projects, through outreach efforts or enforcement actions will be referred to the appropriate County personnel for further action.

### Source Identification

As part of its storm water collection, conveyance, and treatment facility inspections, the County will evaluate and identify potential pollutant sources including but not limited to: private property/residential runoff, commercial site runoff, eroding cut slopes, eroding road shoulders, intercepted groundwater discharges, excessive traction abrasive application, and construction site tracking. The County will document and prioritize identified maintenance needs.

SWMP Road and Facility Inspection Component Tasks  
Table 5-F

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-F(a) Facility and inspection findings database	Public Works	Develop a plan for a facilities and inspection findings database.	A detailed plan ready to implement	May 1, 2007
5-F(b) Inspect stormwater collection and conveyance facilities	Public Works	Inspect, document and report in accordance with the Municipal Permit Reporting and Monitoring Program. Document and prioritize identified maintenance needs.	Inspected at least every other year Maintained database of findings	Annually, March 15
5-F(c) Inspect stormwater treatment facilities	Public Works	Inspect publicly maintained stormwater treatment facilities. Document findings and report in accordance with the Municipal Permit Reporting and Monitoring Program	Inspected at least every other year. Maintained database of findings	Annually, March 15
5-F(d) Inspect road shoulders	Public Works	Inspect publicly maintained road shoulders within jurisdictional boundaries. Document and prioritize identified maintenance needs.	Inspected at least once annually. Maintained database of findings	Annually, March 15
5-F(e) Source Identification	Public Works and others	Identify and evaluate potential pollutant sources.	Maintained database of findings	Annually, March 15

## **5-G Traction Abrasive and Deicer Application and Recovery**

Placer County applies sand to icy road surfaces as required for vehicle traction and safety during the winter months. Deicing materials are not currently used on County maintained roads. Salt is used in small quantities sufficient to prevent the sand storage pile from mass freezing.

### **Application Area**

Traction abrasive is applied on the County maintained roadways shown in Figure 5-G. Factors that may affect application rates include storm intensity and duration, ambient temperatures during and after storm, and snow depth. County maintenance personnel modify application rates and locations based on the above factors. For instance, during less intense storms, sand is only applied to steeper sections of County roads (i.e., greater than 10 percent).



Figure 5-G



The sand utilized by Placer County is intended to meet Nevada Department of Transportation Specification 3 Ice Control Sand and other specifications from AASHTO and Caltrans that require the following:

- Durability index or hardness greater than 75;
- Loss by abrasion not less than 33 percent by weight;
- Content of material smaller than 100 U.S. mesh sieve (149 microns) must not exceed 4.0 percent by weight;
- Content of material smaller than 200 U.S. mesh sieve (74 microns) must not exceed 2.5 percent by weight; and
- Maximum phosphorous content shall be 10 parts per million (ppm).

Application of these specifications is intended to reduce stormwater runoff impacts.

### Street Sweeping

Traction sand recovery is primarily accomplished through street sweeping operations, though additional material is also recovered through vactoring, as discussed in the following section.

- The County owns and operates two street sweepers in the Tahoe Basin, a Johnston 4000 and a Tennant Centurion;
- All eight sand application zones are swept at least twice between April and October each year. In addition, if mild conditions develop during the winter months, supplemental sweeping will be preformed.
- The zones where sand is applied are documented at the end of each application day with respect to the amount of material placed. This documentation helps to target the areas for priority sweeping.
- Swept material is transported out of the Basin and deposited at the Cabin Creek landfill just south of Truckee.
- There are no anticipated needs for additional sweeping equipment or personnel to maximize recovery.

Currently, sand application is documented through visual estimation of sand used daily by estimating residual volume at the end of each day. When sand is deposited at the landfill, it is mixed with water and other materials, so accurate estimates of recovered sand is difficult. However, volumetric estimates are made and recorded by the staff for purposes of documenting sand recovery.

## Sediment Collection Operations

Sediment collection is completed through vactoring operations. These vactoring operations also contribute to recovery of traction sand that has not been recovered through street sweeping operations.

- The County owns and operates one vactor truck in the Tahoe Basin along with up to 10 maintenance staff of Public Works that operate the vactor truck, front loaders, dump trucks and shovels;
- The maintenance inspection report is the guide for documenting the status of stormwater BMP facilities and prioritizing their maintenance. The two monitoring inspections that occurs each year direct maintenance equipment and staff to the priority BMP facilities and then confirm whether BMPs have been adequately cleaned/repared. Two divisions of Public Works, Maintenance and Tahoe Design, are responsible for communicating BMP needs and maintenance results to insure completion of maintenance priorities.
- Similar to sweeping disposal, collected material is transported out of the Basin and deposited at the Cabin Creek landfill just south of Truckee. Delivery receipts based on entry and exit weights are provided to the vactor and dump truck drivers.
- There is a need for an additional vactor truck to aid in sediment collection which is planned for purchase in the 06/07 fiscal year. There is also a need for additional personnel to maximize recovery.

Both street sweeping and sediment collection operations are reviewed regularly for potential changes to improve efficiencies and for purposes of sand application and sand/sediment recovery reporting accuracy.

## Staff Training

Annual maintenance staff training is provided for abrasive application and recovery techniques. Training topics include:

- Information on how abrasives impact water quality
- Importance of rapid material recovery; and
- Importance of avoiding soil disturbance when snow plowing and blowing.

SWMP Traction Abrasive and Deicer Application and Recovery Component Tasks  
Table 5-G

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-G(a) Traction abrasive and deicer application on roads and recovery practices	Public Works	Track amounts applied and assess efficiency of application and recovery programs through percentage of materials removed. Make changes as feasible to improve tracking and recovery.	Improved tracking and reporting accuracy and improving recovery rates.	Annually, March 15
5-G(b) Determine sand and sediment recovered	Public Works	Measure amounts recovered through sweeping and vactoring	Information collected and reported	Annually, March 15
5-G(c) Program to train responsible staff	Public Works	Train appropriate staff on water quality implications of material application and importance of efficient , effective recovery.	At least one training per year	Annually

## **5-H Education**

Education regarding ways to reduce stormwater pollution for members of the community and public agency staff is key to conducting an effective and successful stormwater quality program. Under this SWMP component, Placer County will undertake regular public training events to inform the public and staff about how to protect or improve the quality of stormwater runoff. Education elements involving members of the public are reported in this 'Education' section rather than the 'Public Participation' section. County staff will be trained to ensure that personnel are informed of the latest in stormwater quality protection practices and requirements.

### **All Target Communities**

At a minimum the Education Program for each target audience shall contain information on the following topics where applicable:

- Requirements of local municipal permits and ordinances (e.g., storm water and grading ordinances and permits).
- Impacts of urban runoff on Lake Tahoe water quality.
- Importance of good housekeeping (e.g., sweeping impervious surfaces instead of hosing).
- Pollution prevention and safe alternatives.
- Household hazardous waste collection.
- BMPs: Site specific, structural, and source control.
- BMP maintenance.
- Non-storm water disposal alternatives (e.g., all wash waters).
- Pet and animal waste disposal.
- Equipment and vehicle maintenance and repair.
- Public reporting mechanisms.
- Importance of native vegetation/mulch for preventing soil erosion.

### **Municipal, Construction, Industrial, and Commercial Communities**

In addition to the topics listed the Municipal, Construction, Industrial, and Commercial Communities shall also be educated on the following topics where applicable:

- Basic urban runoff training for appropriate personnel.
- Illicit Discharge Detection and Elimination observations and follow-up during daily work activities.
- Lawful disposal of vacuum truck and sweeping equipment waste.
- Water quality impacts associated with land development (including residential construction and redevelopment).
- Storm Water Quality Improvement Committee project planning and design processes.
- How to conduct a storm water inspection.
- Spill response, containment, and recovery.
- Proper/effective BMP selection, installation, and maintenance

## Residential, General Public, School Children Communities

In addition to the topics listed above the County shall implement a program to provide education materials to Residential, General Public, and School Children Communities on the following topics where applicable:

- Public reporting information resources.
- Residential BMP requirements.
- Residential car washing and auto maintenance BMPs.
- Community activities (e.g., Adopt a Watershed Programs citizen monitoring, creek/beach cleanups, environmental protection organization activities, etc.)

Materials such as brochures and information sheets will be created and distributed at public counters, at public events, or in targeted mailers and will be aimed at audiences as described in this section and other sections of this SWMP.

An annual workshop regarding development practices and BMPs will be offered by the County to the public. An alternative for this workshop will be staffing a booth at north Lake Tahoe's annual Earth Day celebration (or similar public event) where pertinent information on BMPs will be provided. Each educational event will contain information appropriate to the audience, and will include all topics, as appropriate, that are described in the permit. For example, food and drink establishments will be delivered information about proper disposal of grease, food, and paper wastes, and dry cleanup methods for outdoor surfaces. Automotive businesses will receive information about appropriate work habits and facilities to reduce the potential for oily wastes, automotive fluids, soap, etc. to contaminate the Lake. Per the BMPs in the Impaired Waterbodies and TMDL section of the municipal permit, reduction of sediment and nutrients will be emphasized in all public education activities/materials.

Training sessions will be delivered annually to County staff with responsibilities to the stormwater program, including building inspectors, CDRA construction and grading inspectors, stormwater section personnel, capital projects personnel, and road maintenance personnel. The training sessions will cover at a minimum:

- stormwater program basics such as local water quality laws and regulations applicable to construction and grading activities.
- erosion and sediment control practices/BMPs including how erosion can be prevented
- stormwater quality protection techniques
- inspection practices
- identification and reporting of illicit discharges
- The connection between construction activities and water quality impacts -i.e., impacts from sediment discharges to surface water, how to minimize impacts.
- importance of using good housekeeping practices for county facilities and operations
- enforcement processes and roles/responsibilities.

SWMP Education Component Tasks  
Table 5-H

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-H(a) Conduct outreach and education for target communities including municipal, construction, commercial, industrial, and residential communities.	Public Works, County Executive, Planning, Engineering Services	Conduct workshops or other outreach events. Continue to monitor opportunities and participate in educational activities for school children sponsored by other agencies. Create and distribute public information materials for high priority audiences. Distribute TRPA materials at public counters. Prepare and deliver educational outreach materials to high priority site operators. See additional activities in 5-B(f), 5-C(c), 5-E(b), 5-G(c), 5-I(d), and 5-J(a)	Training events and materials distributed as indicated in SWMP Components	Annually.
5-H(b) Train Placer County personnel in stormwater quality program and implementation	Public Works	Provide training to involved Placer County personnel	At least one training event annually	Annually

## **5-I Illicit Discharge Detection and Elimination**

With this SWMP component, Placer County will implement or continue implementing activities designed to:

- Identify and eliminate illicit discharges of non-stormwater flows and pollutants.
- Provide methods for members of the public to report suspected illicit discharges.
- Train Placer County personnel to identify, investigate, report, and correct illicit discharges.
- Require identified illicit discharges to be discontinued.

Several existing Placer County programs already execute activities that apply to the Illicit Discharge Detection and Elimination Component, as discussed below.

In the north and west shore communities in Placer County, the Tahoe Truckee Sierra Disposal company picks up recyclable materials (the “blue bag” recycling program) for processing at the Eastern Region Materials Recovery Facility in Truckee (Cabin Creek landfill). The Eastern Regional Materials Recovery Facility also accepts household hazardous waste and oil from Placer County residents at no charge, by appointment, and during at least two summer weekends advertised by the Facility.

A spill response and clean-up program is administered by the Office of Emergency Services, Environmental Health, Public Works, and various fire departments.

Environmental Health manages the State’s Hazardous Materials Business Plan program that requires reporting of the proper storage of reportable quantities of hazardous materials.

Reports of suspected illicit discharges will be received from any of a number of sources, including public reports, agency reports, public hotline, stormwater section personnel, electronic reports, and from County field personnel.

Placer County will begin a program to actively seek and eliminate suspected illicit discharges. Field personnel will be trained in identification and reporting of suspected illicit discharges. Where appropriate, field personnel will be empowered to rectify any adverse situations, or other Placer County personnel will be responsible for investigation and follow up per defined procedures. Illicit discharge and detection activities will not be performed for sources identified in Chapter 3 of this SWMP, Exclusions. Enforcement will be carried out as described in Chapter 4 of this SWMP.

SWMP Illicit Discharge Detection And Elimination Component Tasks  
Table 5-I

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-I(a) Develop and implement a program to actively seek and eliminate illicit discharges and connections.	Public Works, Environmental Health, Engineering Services, Others	Develop and implement program which will eliminate detected illicit discharges, discharge sources, and connections.	Program implemented	Ongoing.
5-I(b) Establish program to investigate and inspect any portion of the storm water collection and conveyance system that indicates reasonable potential for illicit discharges, illicit connections, or other source of non-storm water.	Public Works	Establish criteria to identify portions of the system where such investigations are appropriate. Add stormwater compliance inspection to food facility Health Department inspection.	Criteria established and follow up actions taken.	Ongoing
5-I(c) Implement and enforce County ordinances, orders, or other legal authority to prevent and eliminate illicit discharges and connections.	Public Works, Environmental Health, Planning, Building	Provide training to Placer County field personnel in identification, reporting, and enforcement procedures regarding illicit discharges. Conduct appropriate inspection. Respond to reported incidents. Enforce and implement ordinance. Inspect and follow up on reports of illicit discharges from the public.	Record of the number of incidents and action taken.	Ongoing
5-I(d) Promote, publicize, and facilitate public reporting of illicit discharges	Public Works, County Executive	Provide capability for the public to report suspected illicit discharges via the Placer County website. Publicize the Placer County after-hours reporting telephone number to the public. Continue Placer County spill response and clean-up program.	Record the number of reports made and action taken.	Ongoing
5-I(e) Facilitate proper management and disposal of used oil, toxic materials, and other household hazardous wastes.	Facility Services, Tahoe Truckee Sierra Disposal	Continue Placer County solid waste management and household hazardous waste and oil disposal programs. Publicize and participate in educational events. Establish collection sites operated by the County or other entity.	Record of materials received at each event	Ongoing



## **5-J Public Participation**

County staff will identify and participate in public involvement activities sponsored by the county as well as other agencies when possible. In addition, opportunities will be sought to include the public in implementation of the SWMP. The SWMP will be made available to the public through the County Web site and references on public materials. Areas where the public can assist with implementation include outreach and education, monitoring and reporting illicit discharges from neighborhoods, and participation in events such as Lake Tahoe's Earth Day.

SWMP Public Participation Component Tasks  
Table 5-J

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-J(a) Identify opportunities for stormwater quality public participation activities and/or education events sponsored by other organizations.	Public Works and others	Participate in/and or sponsor as many activities as possible such as Earth Day and TRCD events.	Participate or sponsor at least one activity annually	Annually
5-J(b) Involve the public in SWMP implementation	Public Works, Engineering Services, Environmental Health, Building Department, Others	Educate public on SWMP requirements as well as potential opportunities for involvement with reporting and monitoring of illicit discharges. Record number of reports made and actions taken	Increased awareness from the public as incidences of illicit discharges diminish	Ongoing

## **5-K SWMP Effectiveness**

Water quality monitoring on the County level on behalf of the municipal NPDES permit is not specifically warranted at this point. However, a long-term strategy to assess the effectiveness and successful implementation of the SWMP is required towards achieving improvements in receiving water quality. The County's strategy will be three-fold:

- Pollutant loading estimates based on existing and future receiving water quality monitoring. Both pre-construction (baseline) and post-construction water quality monitoring have occurred and/or are occurring on a select number of planned and completed water quality improvement projects including Tahoe City Wetlands BMP, Kings Beach Detention Basin BMPs, Lake Forest project baseline monitoring, Upper Cutthroat project post-construction monitoring, Griff Creek project Stream Environment Zone (SEZ) assessment, and Homewood project SEZ assessment. This data, combined with existing pollutant load data estimated through the technical TMDL work administered by Lahontan and the Nevada Division of Environmental Protection, will provide a quantitative (direct) measurement of the SWMP implementation success.
- Indirect measurements of SWMP success will include documentation and assessment of complaints, violations, and compliance actions related to construction and illicit discharges. Other indirect measurements are indicated in Table 5-K.
- In our annual report, the information gathered above will be assessed for SWMP effectiveness and provided in each Annual Report.

SWMP Effectiveness Component Tasks  
Table 5-K

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-K(a) Develop long-term strategy to assess effectiveness and successful implementation of SWMP	Public Works, Environmental Health, Engineering Services, Building Department	Specify direct and indirect measurements to track long-term progress of achieving improvements in receiving water quality. Revise SWMP as necessary. Assess effectiveness through surveys, pollutant loading estimations, and receiving water quality monitoring	Completed strategic plan	Ongoing
5-K(b) Monitor illicit discharges, complaints, enforcement actions, construction violations.	Public Works, Environmental Health, Engineering Services, Building Department	Record and evaluate information	Records maintained and information evaluated.	Ongoing
5-K(c) Annual assessment of effectiveness	Public Works	Evaluate effectiveness of the SWMP using the direct and indirect assessment measurements and methods developed in the long term assessment strategy	Completed report	Annually

## **5-L Fiscal Analysis**

Under this SWMP component, the County will analyze funding needs and prepare a funding plan strategy to attempt to secure the resources necessary to fully implement our urban runoff management program and comply with the permit. After the SWMP is approved by the Placer County Board of Supervisors and accepted at the LRWQCB, a fiscal analysis of funding needs will be initiated. The approved SWMP will be analyzed for anticipated funding needs by estimating the amount of staff time and capital expenditures necessary to support each of the program activities. A spreadsheet will be created listing estimates of the required time to perform each component task by month, taking into account the seasonality of outdoor work, and the various time-intensive data management and reporting commitments. Subsequently, a strategy to secure funding will be created and is anticipated to take the form of a funding plan delineating possible revenue sources, identifying the pros and cons of utilizing each including any legal restrictions on the use of various funds, and including a timeline to pursue each appropriate source. The fiscal analysis and pursuit of funding sources will be updated annually and presented in the annual report. In addition, staff will monitor the availability of information about potential funding methods and participate in educational activities when possible.

Current funding sources include grants for water quality improvement projects, road fund for road-related functions, County general fund, and the County facilities maintenance and capital fund. These and other potential sources will be evaluated for long-term reliability.

A preliminary analysis of funding needs based upon the draft permit (Fall 2005) indicated that approximately two additional full-time professional people will be required to complete all program activities (these are in addition to the existing resources dedicated to the program, listed in Chapter 3 under 'Budget and Staffing').

Placer County fiscal years run from July 1 to June 30. Draft budgets are created in December for the upcoming fiscal year (e.g. July '06 through June '07 budget is drafted in December 2005), are refined at various times throughout the spring, are tentatively approved by the Board of Supervisors in June, and are finalized in August.

A final accounting analysis of anticipated funding needs versus anticipated expenditures to support the urban runoff management program in its entirety will be provided in various documents later this year and next year as detailed in Table 5-L.

SWMP Fiscal Analysis Component Tasks  
Table 5-L

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-L(a) Develop a strategy to conduct a fiscal analysis of the urban runoff management program in its entirety	Public Works, County Executive, Planning, Building, Facility Services, Environmental Health	Describe strategy to be used in conducting the fiscal analysis.	Strategy developed	Annually
5-L(b) Evaluate expenditures necessary to accomplish activities of the SWMP	Public Works, County Executive, Planning, Building, Facility Services, Environmental Health	Evaluate capital, operations and maintenance, education and administration expenditures. Describe sources of funding necessary to meet expenditures including legal restrictions on use of such funds. Monitor information about potential funding sources and continue to pursue water quality improvement project and program funding.	Fiscal year evaluation completed	Annually
5-L(c) Prepare annual budget for program	Public Works, County Executive, and other participating departments	Create annual budget per Placer County policies and procedures. Define program costs and funding needs for permit based upon commitments in the approved Plan. Update funding needs analysis and funding plan.	Budget completed	Annually
5-L(d) Secure resources necessary	Public Works, County Executive, other participating departments	Identify costs and necessary funding. Submit budget information for consideration of the County Executive Officer and Board of Supervisors	Funding Secured	Annually

## **5-M SWMP Revision and Implementation**

The SWMP will be submitted to the LRWQCB in fulfillment of the permit requirement (p. 26) on July 15, 2006 and will be revised, if necessary, on an annual basis. In order to avoid confusion that might be caused by repeating related SWMP components in this document, all SWMP components are included once only in Tables 5-A through 5-L, and 5-N. For purposes of summarizing minimum SWMP content, Section VIII requirements (SWMP headings A-L) are summarized below with cross-referencing to the SWMP component implementation task tables presented throughout this document.

### **A. Municipal Facilities Retrofit**

SWMP Submittal Requirement	Location addressed in SWMP
A.1. List of erosion control and stormwater treatment projects planned for construction from 2006 to 2010	Figure 5-1 and Table 5-1
A.2. Description of project prioritization methods	Section 5-A
A.3. Commitment to continue supporting the Stormwater Quality Improvement Committee and its associated project delivery tools	Section 5-A
A.4. Detailed plan and schedule to develop and implement a project-tracking data base no later than May 1, 2007.	Section 5-A

### **B. Construction**

SWMP Submittal Requirement	Location addressed in SWMP
B.1. Detailed plan and schedule to review and update grading and other construction ordinances and other regulatory mechanisms to comply with the conditions of this order.	Appendix A and Section 5-B
B.2. A description of current process, or proposed modifications to the construction and grading approval processes if needed, to meet permit requirements.	Section 5-B
B.3. Updated construction and grading project requirements in local grading and construction permits, if needed.	Section 5-B

SWMP Submittal Requirement	Location addressed in SWMP
B.4. Completed inventory of construction sites subject to local grading and construction permits for the 2006 construction season, and annual updates.	Provided in Appendix B
B.5. Detailed plan to conduct construction site prioritization based upon threat to water quality.	Section 5-B
B.6. A description of planned inspection frequencies.	Section 5-B
B.7. A description of inspection and documentation tracking methods.	Section 5-B
B.8. A description of enforcement mechanisms and how they will be used.	Chapter 4
B.9. A description of the construction education program including implementation.	Section 5-H and 5-B

C. Industrial

SWMP Submittal Requirement	Location addressed in SWMP
C.1. Create a completed inventory of identified industrial sites by May 1, 2007, and update annually.	Section 5-C
C.2. Detailed plan to conduct industrial site prioritization based upon threat to water quality by May 1, 2007.	Section 5-C
C.3. A description of planned industrial site outreach efforts.	Section 5-C and Section 5-H
C.4. A description of how non-compliant sites will be identified and a process for notifying the Regional Board as needed.	Section 5-C

D. Commercial

SWMP Submittal Requirement	Location addressed in SWMP
D.1. A completed inventory of high priority commercial activities/sites by May 1, 2007, and updated annually.	Section 5-D
D.2. A description of planned inspection frequencies for high priority sites.	Section 5-D



SWMP Submittal Requirement	Location addressed in SWMP
D.3. A description of inspection and documentation /tracking methods.	Section 5-D
D.4. A description of enforcement mechanisms and how they will be used.	Section 5-D and Chapter 4

E. Residential

SWMP Submittal Requirement	Location addressed in SWMP
E.1. Detailed plan to identify high priority residential areas and activities that will be used to direct outreach efforts.	Section 5-E
E.2. Which pollution prevention methods will be encouraged for implementation, and how and where they will be encouraged.	Section 5-E
E.3. How the permittee proposes to assist residential BMP implementation in high priority areas.	Section 5-E
E.4. A description of enforcement mechanisms and how they will be used.	Section 5-E, Chapter 4

F. Road and Facility Inspection

SWMP Submittal Requirement	Location addressed in SWMP
F.1. A description of current inspection practices and any proposed changes in inspection frequency or methods.	Section 5-F
F.2. A plan to develop and implement a facilities and inspections findings database, including timeline and milestones, by May 1, 2007.	Section 5-F
F.3. A response plan to address maintenance needs identified by required inspections.	Section 5-F

G. Traction Abrasive and Deicer Application and Recovery

SWMP Submittal Requirement	Location addressed in SWMP
G.1. A description of current traction abrasive and deicer application on all permittee's roads, and recovery practices, including application area map.	Section 5-G
G.2. A description of current disposal sites for recovered material.	Section 5-G
G.3. A description of factors limiting recovery operations.	Section 5-G
G.4. A description of proposed program activities to maximize recovery operations.	Section 5-G

H. Education

SWMP Submittal Requirement	Location addressed in SWMP
SWMP shall include a description of the content, form, and frequency of education efforts for each target community.	Section 5-H

I. Illicit Discharge Detection and Elimination

SWMP Submittal Requirement	Location addressed in SWMP
I.1. A description of the program to actively seek and eliminate illicit discharges and connections.	Section 5-I
I.2. A description of efforts to facilitate public reporting of illicit discharges and connections, including a public hotline.	Section 5-I
I.3. A description of investigation and inspection procedures to follow up on inspections, public reports, or other information that indicates potential illicit discharges and connections.	Section 5-I
I.4. A description of enforcement mechanisms and how they will be used.	Section 5-I, Chapter 4
I.5. A description of efforts to facilitate proper disposal of used oil and other toxic materials.	Section 5-I

J. Public Participation

SWMP Submittal Requirement	Location addressed in SWMP
Provide a description of how public participation will be included in the implementation of the SWMP.	Section 5-J

K. SWMP Effectiveness

SWMP Submittal Requirement	Location addressed in SWMP
Provide a description of strategies to be used for assessing the long term effectiveness of the SWMP.	Section 5-K

L. Fiscal Analysis

SWMP Submittal Requirement	Location addressed in SWMP
L.1. A description of the strategy to be used to conduct a fiscal analysis of the stormwater management program	Section 5-L
L.2. A description of identified funding needs.	Section 5-L
L.3. A discussion of proposed method for addressing funding shortfalls, including timeline and milestones	Section 5-L

## **5-N Impaired Waterbodies and TMDL**

Under this SWMP component, Placer County will prepare a 'pollutant load reduction strategy' report that will include future program activities to:

- Identify and map stormwater outfalls;
- Map the drainage area for each outfall;
- Develop a method to prioritize and schedule erosion control and stormwater treatment projects based on threat to water quality; and
- Implement those projects in order of priority ranking and schedule determined in above task.

The report, which is to be prepared by May 2007, will give the intended timing for implementation of each of these tasks.

The Phase I permit identifies numerical limits for the following constituents in Section V.A.1. of the permit (p. 7):

- Total Nitrogen
- Total Phosphorous
- Total Iron
- Turbidity
- Grease and Oil

These pollutants, along with fine sediment, have been identified as the primary contaminants responsible for clarity decline in Lake Tahoe. The pollutant reduction strategy will emphasize these constituents.

It is assumed that the pollutant loading reduction strategy will need to include a significant educational component, and that advance communication of the educational messages will improve the overall awareness of the community. Therefore public participation and education opportunities will emphasize the reduction of sediments and nutrients as soon as possible and are not delayed until implementation of the strategy in 2007. This is already occurring through the Pathway 2007 process, particularly the place-based component, which promotes an "at-large" community participation in contributing to developing a 20-year regional plan for Lake Tahoe.

Finally, the pollutant load reduction strategy will need to be flexible based on the TMDLs and waste load allocations to be proposed for Placer County. It is anticipated that there will be the opportunity to review and comment on this separate action to be taken by the Regional Board, prior to final establishment.

Impaired Waterbodies and TMDL Component Tasks  
Table 5-N

Task	Implementing Entity	Activity	Measurable Goal	Completion Date/ Frequency
5-N(a) Develop a pollutant load reduction strategy plan	Public Works, County Executive	Prepare strategy report including mapping of stormwater outfalls and calculated drainage area; method to prioritize erosion control and stormwater treatment; and implement projects based on priority	Completed plan	May 1, 2007
5-N(b) Implement the pollutant load reduction strategy plan	Public Works, County Executive	Use plan to identify priority projects for implementation to provide greater emphasis on pollutant load reduction.	Implementation of priority projects	Ongoing

## **6. MONITORING AND REPORTING PROGRAM/ANNUAL REPORT**

In accordance with Attachment C of the permit, an Annual Monitoring and Reporting Program requires activities be submitted to the LRWQCB by March 15 of each year. In addition there are reporting requirements as identified in Tables 5A-5N. Annual reports will detail activities on a calendar year basis of January 1 through December 31.

Monitoring and Reporting Program Submittal	Submittal Date	Frequency
Facilities Inspection Report	3/15/06	Annually
Construction Site Inspection Report	3/15/07	Annually
Traction Abrasive and Deicing Material Report	3/15/06	Annually
Outfall Inventory Report	3/15/06	Annually
SWMP Review and Update Report	3/15/07	Annually
Fiscal Analysis Report	3/15/07	Annually
Pollutant Load Reduction Strategy Report	3/15/07	Annually

As appropriate or required, each of the evaluation measures in previous Tables 5-A through 5-L and 5-N will be addressed in an Annual Report typically due May 1 of each year. However, if a report as required by the Monitoring and Reporting Program and also addresses a SWMP component, it will not be reported in the Annual Report. Example is a report due on a plan to conduct site prioritization. Although site prioritization will be a part of annual reporting, the plan will not be included after the initial submittal of May 1, 2006.

The Annual Reports will also detail any new information developed subsequent to adoption of the SWMP, such as any changes in goals or program structure.

## DEFINITIONS AND ACRONYMS

Acronym/Word	Definition	Description
BMP	Best Management Practice	Term used to describe an activity, management technique, device, or requirement that is intended to improve the quality of stormwater runoff.
CDRA	Community Development and Resources Agency	The Placer County Department Responsible for all development-related services to the community.
CFR	Code of Federal Regulations	
DPW	Department of Public Works	The Placer County Department responsible for road maintenance, water quality project implementation, and stormwater program coordination
EPA	Federal Environmental Protection Agency	
Environmental Health	Environmental Health Division	A division of the Placer County Health and Human Services Department
LRWQCB	Lahontan Regional Water Quality Control Board	State agency responsible for regulating water quality in the Tahoe Basin. Also referred to in SWMP as Regional Board and Lahontan.
LTEEC	Lake Tahoe Environmental Education Coalition	An Environmental Education Coalition sponsored by the University of Nevada Cooperative Extension and the University of California Cooperative Extension with the goal to assist many groups and organizations in working together to educate the public about how to prevent pollution of Lake Tahoe.
MOU	Memorandum of Understanding	
NOI	Notice of Intent	
NDEP	Nevada Division of Environmental Protection	State of Nevada regulatory agency for stormwater and partner with Lahontan for developing Lake Tahoe TMDL.
NDOT	Nevada Department of Transportation	
NPDES	National Pollutant Discharge Elimination System	
Non-Filer		An entity that has not obtained the appropriate construction or industrial stormwater permit from LRWQCB.
ONRW	Outstanding Natural Resource Water	Designation under the Clean Water Act for the nation's highest quality

Acronym/Word	Definition	Description
		waters. ONRWs are protected against degradation of water quality.
Order	Same as “Permit”, below	
Permit	LRWQCB Waste discharge requirements and NPDES permit for storm water runoff, Board Order R6T-2005-0026, NPDES CAG-616001	Stormwater waste discharge permit common to the City of South Lake Tahoe, El Dorado County, and Placer County.
Plan	See SWMP	
Regional Board	Same as LRWQCB	
SEZ	Stream Environment Zone	TRPA designation of lands of special consideration adjacent to streams, wetlands and other water influenced areas.
SWMP	This Tahoe Stormwater Management Plan	The County’s plan for meeting the program requirements of the LRWQCB Municipal Permit
SWQIC	Stormwater Quality Improvement Committee	A subcommittee of the Lake Tahoe Basin Executives Committee of the TRPA, established to improve the design and effectiveness of stormwater quality improvement projects by working on process issues.
TRCD	Tahoe Resource Conservation District	
TRPA	Tahoe Regional Planning Agency	
Tetra Tech		A consulting firm that prepared an evaluation of the stormwater program on behalf of the EPA in 2002.
TIIMS	Tahoe Integrated Information Management System	
TRG	Tahoe Research Group	
USFS	United States Forest Service	
WDID	Waste Discharge Identification Number	The unique identification number assigned by the State of California to various types of waste discharge permits.



**APPENDIX A**

**PLACER COUNTY**  
**GRADING ORDINANCE**

## Article 15.48

### GRADING, EROSION AND SEDIMENT CONTROL\*

#### Sections:

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- 15.48.020 Purpose.
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\* Prior code history: Prior code Sections 29.100 through 29.675, 29.700 through 29.1050 and 29.1070.

## Part 1. Purpose and Definitions

### 15.48.010 Title.

This article shall be known as the grading and erosion prevention ordinance of Placer County. (Ord. 5056-B (part), 2000)

### 15.48.020 Purpose.

The ordinance codified in this article is enacted for the purpose of regulating grading on property within the unincorporated area of Placer County to safeguard life, limb, health, property and public welfare; to avoid pollution of watercourses with hazardous materials, nutrients, sediments, or other earthen materials generated on or caused by surface runoff on or across the permit area; and to ensure that the intended use of a graded site is consistent with the Placer County general plan, any specific plans adopted thereto and applicable Placer County ordinances including the zoning ordinance, flood damage prevention ordinance, (Article 15.52) environmental review ordinance (Chapter 18 Placer County Code) and applicable chapters of the California Building Code. In the event of conflict between applicable chapters and this article, the most restrictive shall prevail. (Ord. 5056-B (part), 2000)

### 15.48.030 Definitions.

Unless the particular provision or the context otherwise requires, wherever the following terms are used in this article, they shall have the meaning ascribed to them in this section:

“Agency director” means the head of the community development resource agency of Placer County.

“Agricultural operation” means any land related activity for the purpose of cultivating or raising plants grown in the ground or raising animals or conserving or protecting lands for such purposes when conducted on agriculturally zoned lands and is not surface mining or borrow pit operations.

“Bedding plane” means a nearly flat surface, which may have been tilted up or folded by tectonic forces, separating two beds (or layers or strata) of sedimentary rock. Each bedding plane marks the end of one deposit and the beginning of another having different characteristics (also known as strata, or beds).

“Bedrock” is the solid undisturbed rock in place either exposed at the ground surface or beneath surficial deposits of loose rock or soil.

“Bench” means a relatively level step excavated into sloping natural ground on which engineered fill or embankment fill is to be placed.

“Board” is the board of supervisors of the county of Placer.

“Civil engineer” is a professional engineer registered as a civil engineer by the state of California.

“Community development resource agency” means the agency which provides planning and direction over those county functions that provide land use planning, management of natural resources, building, inspection and code enforcement services, and other permit and land use services to the citizens of Placer County. The agency includes the departments of planning and building and land development core functions such as infrastructure planning, surveying and mapping, permits and construction.

“Compaction” is the increase of density of a soil or rock fill by mechanical means.

Cut. “See “excavation.”

“Days” means calendar days, except that such time limits shall extend to the following working day where the last of the specified number of days falls on a Saturday, Sunday or any county holiday.

“Depth of fill” means the vertical dimension from the exposed fill surface to the original ground surface.

“Depth of excavation” (Cut) means the vertical dimension from the exposed cut surface to the original ground surface.

“Director of environmental health” means the director of the department of health and human services, Placer County, California acting either directly or through authorized deputies.

“Director of public works” means the director of public works of Placer County, California, acting either directly or through authorized deputies.

“Drainage way” means a depression in the earth’s surface such as swales, ravines, gullies, draws, hollows or ditches in which surface waters collect for drainage, but which otherwise are destitute of water.

Embankment. See “fill.”

“Engineering geologist” means a registered geologist certified as an engineering geologist by the state of California.

“Engineering geology” means the application of geologic knowledge in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

“Erosion” means the wearing away and transportation of earth material as a result of the movement of wind, water, or ice.

“Excavation” (Cut) means the removal of naturally occurring earth materials by mechanical means, and includes the conditions resulting therefrom.

“Existing grade” means the elevation of the ground surface at a given point prior to excavating or filling.

“Expansive soil” means any soil, which exhibits significant expansive properties as determined by a geotechnical engineer or civil engineer and approved by community development resource agency.

“Fill” (embankment) means the deposit of soil, rock or other materials placed by man and includes the conditions resulting therefrom.

“Finish grade” means the final grade of the site after excavating or filling which conforms to the approved final grading plan. The finish grade is also the grade at the top of a paved surface.

“Foliation plane” means a linear plane formed in metamorphic rock caused by heat and pressure. The planes in the Sierra foothills usually trend north-south and are titled at a steep slope with folds and intrusions.

“Geologic hazard” means any condition in naturally occurring earth materials, which may endanger life, health or property.

“Geotechnical engineer” means a civil engineer registered by the state of California who is qualified in the field of soil mechanics and soil engineering and has the authority to use the title “soil engineer.”

“Geotechnical engineering” means the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and may include the inspection, testing and construction thereof.

“Grade” means the vertical location of the ground surface.

Grade, existing. “Existing grade” means the grade prior to grading.

Grade, rough. “Rough grade” means the stage at which the grade approximately conforms to the approved plan.

“Grading” means any land excavation or filling or combination thereof, or the removal, plowing under or burial of vegetative groundcover.

“Grading plan” means a plan prepared in accordance with this ordinance showing grading and related work.

“Grading work” is grading and related work, such as, but not limited to, drainage improvements and erosion and sediment control.

“Hazardous materials” are as defined in Health and Safety Code Sections 25501 et seq.

“Joint” means a fracture in rock that is produced by expansion, contraction, and tectonic forces, and along which there has been no movement.

“Keyway” means a special backfilled excavation, which is constructed beneath the toe area of a planned fill slope on sloping ground to improve the stability of the slope.

“Landscape architect” means a landscape architect registered by the state of California.

“Level, land leveling operation” means the physical movement of rock or soil which results in a change in the topography of the land, which results in the land being more level than before.

Lot. See “parcel.”

**“NPDES” means the National Pollutant Discharge Elimination System, a federal program regulating Stormwater discharges pursuant to sections 307, 402, 318, and 405 of the Clean Water Act.**

“Owner” means the person shown as the legal owner of the property on the latest equalized assessment roll in the office of the county assessor.

“Overland flow” means and includes flow over planar surfaces, including but not limited to roofs, streets, lawns, parking lots and fields.

“Parcel” (Lot) means land described as a lot or parcel in a recorded deed or shown as a lot or parcel on a subdivision map or parcel map on file in the county recorder’s office.

“Permit” means an approved grading permit issued pursuant to this article authorizing certain grading work.

“Permittee” means any person to whom a permit is issued pursuant to this article.

“Person” means any individual, firm, corporation or public agency whether principal, agent, employee or otherwise.

“Planning director” is the director of the planning department of Placer County, California, acting directly or through his or her authorized agents.

“Rainy season” is the period of the year during which there is a substantial risk of rainfall. For the purpose of this article, the rainy season is defined as from October 15 to May 1, inclusive.

“Record drawings” means drawings for improvements or grading that show changes made during construction.

“Retaining wall” means any constructed wall that holds back earth (or a liquid), and where there is an abrupt change in elevation.

“Sediment” means any material transported or deposited by water, including soil debris or other foreign matter.

“Site” means any lot or parcel of land or combination of contiguous lots or parcels of land, whether held separately or joined together in common ownership or occupancy where grading is to be performed or has been performed.

“Slope” means an inclined ground surface the inclination of which may be expressed as the ratio of horizontal distance to vertical distance or as the ratio of vertical distance per one hundred (100) feet horizontal distance when given as a percent.

“Soil” means all earth material of any origin that overlies bedrock and may include the decomposed zone of bedrock, which can be excavated readily by mechanical equipment.

“Stormwater runoff” means water runoff due to storms, (rain, snow melt, etc.).

**“Stream Environment Zone” means perennial, intermittent, and ephemeral streams, meadows and marshes, and other areas of near-surface water influence.**

“Structure” means that which is built or constructed or any piece of work artificially built up or composed of parts joined in some definite manner.

“Surcharge” means the additional loading acting above and behind a retaining wall other than from the normal active soil pressures; examples of surcharges include but are not limited to vehicles, buildings, snow, sloped backfill, stockpiles, construction staging areas and equipment.

“Tahoe Basin” means the unincorporated area of Placer County, which is adjacent to and drains into Lake Tahoe.

“Terrace” means a relatively level step constructed in the face of a graded slope surface for drainage, maintenance, or other purposes.

“Vehicular way” means a private roadway or driveway.

“Vegetation” means plant life or total plant cover of an area.

“Watercourse” means any natural or manmade channel flowing continuously or intermittently in a definite direction and course or used for the holding, delay or storage of waters, which functions at any time to convey or store stormwater runoff.

At the discretion of the community development resource agency, the definition of natural channel may be limited to those channels having a watershed area of fifty (50) acres or more, and this definition will be commonly used in connection with the administration of this article except for those cases in which the agency director or director of public works determines that the definition must be extended to a natural channel with a watershed smaller than fifty (50) acres in order to prevent a condition

which could possibly endanger property; be a hazard to public safety; adversely affect the safety, use or serviceability of adjacent property, public way or drainage channel, or could adversely affect the water quality of any water bodies or watercourses.

Work. See “grading work.” (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

## Part 2. General Requirements

### 15.48.040 Grading.

No person shall do or permit to be done any grading in such a manner that quantities of dirt, soil, rock, debris or other material substantially in excess of natural levels are washed, eroded or otherwise moved from the site, except as specifically provided for by a permit. In no event shall grading activities cause or contribute to the violation of provisions of any applicable NPDES stormwater discharge permit. (Ord. 5056-B (part), 2000)

### 15.48.050 Water obstruction.

No person shall do or permit to be done any grading which may obstruct, impede or interfere with the natural flow of stormwaters, in such manner as to cause flooding where it would not otherwise occur, aggravate any existing flooding condition or cause accelerated erosion. This section applies whether such waters are unconfined upon the surface of the land or confined within land depressions or natural drainage ways, unimproved channels or watercourses, or improved ditches, channels or conduits. (Ord. 5056-B (part), 2000)

### 15.48.060 Grading permit required.

- A. Except for the specific exemptions listed in Section 15.48.070, no person shall do or permit to be done any grading on any site in the unincorporated areas of Placer County without a valid grading permit obtained from the Community Development Resource Agency.

A permit shall also be required for the following:

1. Retaining walls which are over four feet in height; as measured from bottom of footing to top of the retained soil;
2. Any retaining walls that are subject to surcharge;
3. Private vehicular bridge;
4. Swimming pool fill operations whereby depth of fill for swimming pool construction exceeds four feet (Ord. 5056-b (part), 2000)

- B. A grading permit is required for any construction activity with ground disturbance of one acre, or more, where such activity is also subject to coverage under any applicable National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges.

### 15.48.070 Exemptions.



Unless in conflict with provisions of adopted general and/or specific plans, or provisions applicable to the Tahoe Basin as described in Section 15.48.120, the following grading may be done without obtaining a permit. Exemption from the requirement of a permit shall not be deemed permission to violate any provision of this article.

A. Minor projects which have cuts or fills, each of which is less than four feet in vertical depth at its deepest point measured from the existing ground surface, and which meet all of the following criteria:

1. Less than two hundred fifty (250) cubic yards of graded material in a single area, within a two-year period. In calculating the graded material quantity, excavation material used as fill material will not be counted twice. (For example: one hundred twenty-five (125) cubic yards [C.Y.] of excavation material that is also placed as fill material would be calculated as one hundred twenty-five (125) cubic yards, not as 125 C.Y. + 125 C.Y. = 250 C.Y.;

2. The removal, plowing under or burial of less than ten thousand (10,000) square feet of vegetation on slopes ten (10) percent or greater or any amount of vegetation on slopes less than ten percent on areas of land less than one acre within a two-year period;

3. Does not create unstable or erodible slopes;

4. Does not encroach onto sewage disposal systems including leach field areas;

5. Does not encroach into the areas designated as Zone A as shown on the Flood Insurance Rate Maps;

6. Does not obstruct any watercourse, disturb, or negatively impact any drainage way, wetland, stream environment zone, water body, or;

7. Does not divert or obstruct overland flow, or negatively affect other adjacent properties.

8. Includes provisions to effectively prevent discharges of pollutants from the site.

9. Provides for completion of soil disturbing activities within a continuous period of 45 days, and revegetation of all disturbed areas immediately thereafter.

B. Grading done by or under the supervision or construction control of a public agency that assumes full responsibility for the work.

C. Excavations, (but not fill operations) in connection with a swimming pool authorized by a valid building permit. Any swimming pool fill operation must comply with Section 15.48.060(D) to be exempt.

D. Retaining walls less than four feet in height, as measured from bottom of footing to the top of the wall, and not subject to surcharge.

E. Grading necessary for agricultural operations unless such grading will create a cut or fill whose failure could endanger any structure intended for human or animal occupancy or any public road, or could obstruct any watercourse or drainage conduit.

F. Trenching and grading incidental to the construction or installation of approved underground pipe lines, septic tank disposal fields, conduits, electrical or communication facilities, and drilling or excavation for post holes or approved wells.

G. Excavations less than two hundred fifty (250) cubic yards for soil or geological investigations by a geotechnical engineer, civil engineer, or engineering geologist.

H. Grading in accordance with plans incorporated in an approved surface mining permit, reclamation plan, or sanitary landfill or environmental remediation project or petroleum product tank removal and installation where governed by other state or county ordinance.

I. Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its original condition.

J. Routine cemetery excavations and fills.

K. Performance of emergency work necessary to protect life or property when an urgent necessity arises. The person performing such emergency work shall notify the community development resource agency or the department of public works promptly of the problem and work required and shall apply for a permit within ten (10) calendar days after commencing such work.

L. An excavation below finished grade for basements and footings of a building authorized by a valid building permit.

M. Timber harvest operation conducted under valid state or federal permit, stream alteration permits, dams under, state jurisdiction, etc. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

#### 15.48.080 Fees.

A. The schedule of fees and costs shall be those established and adopted by the board from time to time by resolution or ordinance. Before a permit is issued, the applicant shall deposit with the community development resource agency cash or a check, in a sufficient sum to cover the fee for issuance of the permit, charges for review of plans, specifications and reports, other engineering services, field investigations, necessary inspection or other work and routine laboratory tests of materials and compaction, all in accordance with schedules established and adopted by the board.

B. No fee shall be required of public agencies.

C. Public utilities may, at the option of the community development resource agency, or department of public works, make payment for the above charges as billed instead of by advance deposit as required above.

D. If grading work is done in violation of this article or such work is not done in accordance with an approved permit, a fee covering investigation of any violation and inspection and plan checking of work required to correct such violation shall be charged to the violator to cover all actual costs. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

#### 15.48.090 Levee work.

No person shall excavate or remove any material from or otherwise alter any levee required for river, creek, bay, or local drainage control channel, without prior approval of the local governmental agency responsible for the maintenance of the levee. (Ord. 5056-B (part), 2000)

#### 15.48.100 Construction in public rights-of-way.

No person shall perform any grading work within the right-of-way of a public road or street, or within a public easement, without prior written approval of the agency director or director of public works, as appropriate. (Ord. 5056-B (part), 2000)

15.48.110 Hazards.

If the community development resource agency or the department of public works determine that any grading on private or public property constitutes a hazard to public safety; endangers property; adversely affects the safety, use or stability of adjacent property; an overhead or underground utility, or a public way, watercourse or drainage channel; or could adversely affect the water quality of any water bodies or watercourses, the agency director or the director of public works may issue a stop work notice to the owner of the property upon which the condition is located, or other person or agent in control of such property. Upon receipt of such stop work notice, the recipient shall, within the period specified therein, stop all work, obtain a grading permit and conform to the conditions of such permit. The community development resource agency or the department of public works may require the submission of plans or soil or geological reports, detailed construction recommendations, drainage study or other engineering data prior to and in connection with any corrective or proposed work or activity. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.120 Tahoe Basin area special restrictions and exemptions.

A. Provisions of this section apply to the unincorporated area of Placer County within that area defined as “TRPA region” in the Tahoe Regional Planning Agency Compact. This area is the Tahoe Basin and that additional and adjacent part of the county of Placer outside of the Tahoe Basin in the state of California which lies southward and eastward of a line starting at the intersection of the basin crestline and the north boundary of Section 1, thence west to the northwest corner of Section 3, thence south to the intersection of the basin crestline and the west boundary of Section 10; all sections referring to township 15 north, range 16 east, M.D.B. and M.

B. Grading and soil disturbance shall be prohibited during the period from October 15th through May 1st unless otherwise approved, in writing, by the agency director or director of public works, as appropriate, and by the Tahoe Regional Planning Agency and Lahontan Regional Water Quality Control Board. Complete winterization of the site is required by October 15th, if work is not complete and permanent revegetation is not established.

C. All work shall be in conformity with any grading restriction required by other federal, state, or local agencies.

D. A permit for grading on residential property issued by the Tahoe Regional Planning Agency will be evidence of conformity to provisions of this section. All other grading in the region, unless otherwise exempt as provided herein, is subject to review and approval by the Placer County public works department or community development resource agency, as appropriate.

E. Areas of the site not approved for grading, vegetation removal, or construction shall be fenced or otherwise marked to limit access. These fences shall be inspected, maintained, and repaired as necessary.

F. Prior to initiation of grading or construction-related activity, temporary erosion control measures shall be installed to prevent transport of earthen materials and other wastes off of the site.

G. All other provisions of this article shall apply, but a permit shall not be required if the work complies with all the following conditions.

1. The excavation does not exceed four feet in vertical depth at its deepest point measured from the original ground surface, does not exceed two hundred (200) square feet in area, and does not exceed three cubic yards per site.

2. The fill does not exceed three feet in vertical depth at its deepest point measured from the original ground surface, the fill material does not cover more than two hundred (200) square feet, and does not exceed three cubic yards per site.

3. The clearing of vegetation does not exceed one thousand (1,000) square feet in area.

#### 15.48.130 Transfer of permit.

No permit issued under this article may be transferred or assigned in any manner whatsoever, without the express written consent of the community development resource agency. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

#### 15.48.140 Right of entry.

As a condition of the permit, the property owner shall grant the county a right of entry for the duration of the permit until after final inspection. Whenever necessary to enforce the provisions of this article the agency director or designee may enter the premises to perform any duty imposed by this article. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

#### 15.48.150 Liability.

Neither issuance of a permit under the provisions of this article nor compliance with the provisions hereof or with any conditions imposed in a permit issued hereunder shall relieve any person from responsibility for damage to any person or property or impose any liability upon the county for damage to any person or property. (Ord. 5056-B (part), 2000)

#### 15.48.160 Denial of other permits.

No building permit, septic, water, sewer, electrical permit, or any other permit shall be issued by the county to any person for any premises or portion thereof which is in violation of this article. (Ord. 5056-B (part), 2000)

#### 15.48.170 Grading prior to approval of improvement plans.

Property owners who submit applications for permits for grading for projects that have an approved tentative map or the intended use has an approved discretionary zoning permit, (Chapter 17, Zoning) or is in compliance with the design review process (Section 17.52.070) must comply with the following requirements:

A. A separate grading plan shall be submitted for review and approval by the community development resource agency. This plan shall conform to the requirements of

this grading ordinance and any applicable conditions placed on the project as a result of any formal discretionary permit process. The applicant shall acknowledge that any additional grading or revisions to work necessitated by conflicts discovered during the improvement plan check or subsequent construction will be corrected at the applicant's expense.

B. The property owner shall submit a revegetation and winterization plan for review and approval. This plan shall include a performance agreement with Placer County which includes a specific schedule for performance of the subject grading, an engineer's estimate of cost for implementing the plan, and cash or other approved form of security to insure the timely performance of the plan.

C. Plan check and inspection fee deposit shall be required in the amount of the full plan check fee applicable at the time of submittal and a deposit of twenty-five (25) percent of the full inspection fee at time of grading permit approval.

D. A drainage report shall be required as per the requirements of this grading ordinance and the Placer County land development manual. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.180 Not retroactive.

The provisions of this article shall not apply to construction for which all previously necessary permits were obtained, before the effective date of the ordinance codified in this article or any subsequent amendments. (Ord. 5056-B (part), 2000)

15.48.190 Severability.

If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this article; and the board declares that this article and each section, subsection, paragraph, subparagraph, sentence, clause, and phrase thereof would have been adopted irrespective of the fact that one or more of such section, subsection, paragraph, subparagraph, sentence, clause or phrase be declared invalid or unconstitutional (Ord. 5056-B (part), 2000)

### Part 3. Procedures

15.48.200 Filing.

Applications for permits shall be filed with the community development resource agency on forms furnished by the department. Each application shall include a plan-checking fee and other fees as required, grading plans and a statement of the intended use of the site. Only one application and permit is allowed for grading work to be done on a site. The community development resource agency shall determine whether the application is complete or whether additional information is required from the applicant. The applicant shall be notified within ten (10) working days, and provided outstanding requirements in writing if the application is deemed incomplete. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.210 Compliance with CEQA.

The California Environmental Quality Act (CEQA) and the Placer County environmental review ordinance may require the preparation of environmental documents concerning a proposed grading project. Any required environmental review must be completed before the grading permit application will be deemed complete. (Ord. 5056-B (part), 2000)

15.48.220 Notice to adjacent utility owners.

Applicant shall provide, with the application, documentation that he or she shall have notified by mail the owners of utilities on or abutting the site that an application for a grading permit has been submitted to the county. The notice shall state that the utilities must provide comments to Placer County within thirty (30) calendar days of the date the notice is received by the utility. No permit shall be issued until the utility has either approved the application or the thirty (30) day period has expired. This section may be waived by the agency director in his/her sole discretion. (Ord. 5056-B (part), 2000)

15.48.230 Referral to other public agencies.

The community development resource agency may refer an application to other interested public agencies for their recommendations. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.240 Permit conditions.

A. No permit shall be granted unless the project conforms to the Placer County general plan, any community or specific plans adopted thereto and applicable Placer County ordinances including the zoning ordinance.

B. Where a proposed grading project requires the filing of a tentative map or the intended use requires approval of a discretionary zoning permit, no grading permit shall be granted prior to approval by the applicable planning authority.

C. The permit shall be limited to work shown on the grading plans as approved by the community development resource agency. In granting a permit, the community development resource agency may impose any condition deemed necessary to protect the health, safety and welfare of the public, to prevent the creation of a hazard to public or private property, prevent erosion and to assure proper completion of the grading, including but not limited to:

1. Mitigation of adverse environmental impacts as disclosed by any environmental document findings. This includes the proper disposal of any hazardous material identified in the initial planning phase. The director of health and human services will approve hazardous materials management;
2. Improvement of any existing grading to comply with the standards of this article;
3. Requirements for fencing or other protecting of grading which would otherwise be hazardous;
4. Requirements for dust, erosion, sediment and noise control, and hours of operation and season of work, weather conditions, sequence of work, access roads and haul routes;

5. Requirements for safeguarding watercourses, whether natural or man-made, from excessive deposition of sediment or debris in quantities exceeding natural levels;
  6. Requirements for safeguarding areas reserved for on-site sewage disposal;
  7. Assurance that the land area in which grading is proposed and for which habitable structures are proposed is not subject to hazards of land slippage or significant settlement or erosion and that the hazards of flooding can be eliminated or adequately reduced;
  8. Requirements for safeguarding existing water wells. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)
- D. All grading activities east of the Sierra crest are prohibited between October 15<sup>th</sup> and May 1<sup>st</sup> without written approval of the agency director.

15.48.250 Permission of other agencies or owners.

No permit shall relieve the permittee of responsibility for securing other permits or approvals required for work which is regulated by any other department or agency of the county, or other public agency, or for obtaining any easements or authorization for grading on property not owned by the permittee. Proof of issuance of applicable public agency permits may be required before the issuance of a grading permit. (Ord. 5056-B (part), 2000)

15.48.260 Location of property lines.

Whenever the location of a property line or easement or the title thereto is disputed during the application process or during a grading operation, a survey by a licensed land surveyor or civil engineer or resolution of title, all at the expense of the applicant, may be required by the community development resource agency. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.270 Time limits.

A. The permittee shall perform and complete all the work required by the permit within time limits specified in the permit. If the work cannot be completed within the specified time, a request for an extension of time setting forth the reasons for the requested extension shall be presented in writing to the community development resource agency no later than thirty (30) days prior to the expiration of the permit. The community development resource agency may grant additional time for the permitted work to be completed.

B. If all of the permit work required is not completed within the time limit specified in subsection A of this section, no further grading shall be done without renewing the permit. A written request for renewal shall be submitted to the agency director who may require a new application and fees depending upon the time between the expiration date and the renewal request, revisions in county regulations, and/or changed circumstances in the immediate area. Any revised plan shall be submitted to the community development resource agency for review, and any costs thereof shall be at the applicant's expense. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.280      Validity.

The issuance of a permit or approval of plans and specifications shall not be construed as an approval of any violation of the provisions of this article or of any other applicable laws, ordinances, rules or regulations. (Ord. 5056-B (part), 2000)

15.48.290      Appeals.

Appeals on decisions pursuant to this article shall be made to the planning commission in writing, setting forth the specific grounds thereto within ten (10) calendar days from the date of such decision. The written appeal shall be accompanied by an appeal fee as set from time to time by the board of supervisors. The planning commission shall consider the appeal per the requirements of Section 17.60.110(D)(4)(C) after receiving the written appeal. The appeal hearing may be continued from time to time at the request of the appellant or by a majority vote of the membership of the planning commission. (Ord. 5056-B (part), 2000)

Part 4. Plans and Specifications

15.48.300      Application--Plans.

- A.      Each application for a grading permit shall include the following:
1.      A completed application form;
  2.      Two complete sets of grading plans;
  3.      Profiles, cross sections, and specifications as required;
  4.      A complete drainage report as required by the community development resource agency;
  5.      The application fee as determined by the board of supervisors.
  6.      Where applicable, evidence of coverage, or application for coverage, under an NPDES General Construction Permit.

B.      The plans and other documents will be reviewed by the community development resource agency. The applicant and/or project engineer will be notified of any necessary changes to the plans. When the plans and other documents have been approved by the community development resource agency, a grading permit will be issued for the project. All work must be done in strict conformance with the approved plans and documents. The approved plans shall not be changed or altered except in accordance with the provisions of this article. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.310      Grading plans--Engineer required.

- A.      All plans and specifications shall be prepared and signed by a civil engineer except that the community development resource agency may waive this requirement if the proposed grading does not:
1.      Endanger the public health, safety and welfare;
  2.      Require cuts and fills involving a combined total of one thousand five hundred (1,500) cubic yards of dirt or more, or where depth of fill exceeds ten (10) feet;
  3.      Include an access road serving five or more existing or potential residences;



4. Require a cut or fill that is situated so as to cause unduly increased soil pressure or reduce earth support upon adjacent structure or property;
5. Include the construction of any drainage or sediment control structures, culverts, or facilities or substantial alteration of any existing drainage course;
6. Include the creation or aggravation of an unstable slope condition;
7. Require construction of any retaining wall over four feet in height;
8. Include the construction of a vehicular bridge. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.320 Requirements for engineered grading plans.

Grading plans and specifications shall be prepared and signed by a civil engineer, as provided herein.

- A. The plans shall include the following:
  1. All plans shall be on twenty-four (24) inch by thirty-six (36) inch sheets unless otherwise approved, and shall be drawn at a scale no less than one inch equals one hundred (100) feet;
  2. A title block. Plans shall be entitled "grading plan" and state the purpose of the proposed grading and the name of the engineer or firm by whom this plan is prepared, owner's name and address, and site address;
  3. A vicinity sketch (not at map scale) indicating the location of the site relative to the principal roads, lakes and watercourses in the area;
  4. North arrow and scale;
  5. A site plan indicating the extent of the work and any proposed divisions of land;
  6. The complete site boundaries and locations of any easements and rights-of-way traversing or adjacent to the property;
  7. The location of all existing or proposed roads, buildings, wells, pipelines, watercourses, septic systems or areas reserved for on-site sewage disposal, and any other structures, facilities, and features of the site, as well as the location of all improvements on lots within fifty (50) feet of the proposed work;
  8. Location and nature of known or suspected soil or geologic hazard areas, including but not limited to serpentine rock areas, landslides, etc.;
  9. Accurate contour lines of the existing terrain and proposed finished grade at intervals not greater than five feet, or spot elevations twenty-five (25) feet on center showing all topographic features and drainage patterns throughout the area where the proposed grading is to occur relative to a bench mark established on site. The contour lines/spot elevations shall be extended to a minimum of fifty (50) feet beyond the affected area, and further, if needed, to define intercepted drainage, and shall be extended a minimum of one hundred (100) feet outside of any future road right-of-way;
  10. Approximate location of cut and fill lines extent and finished slopes of all proposed grading and the limits of grading for all proposed grading work, including borrow and stockpile areas;
  11. Location, width, direction of flow and approximate location of any watercourses including tops and toes of banks;
  12. Approximate boundaries of any areas with histories of flooding;

13. Cross sections, profiles, elevations, dimensions, and construction details based on accurate field data as may be required after initial review of plans;
14. Construction details for roads, watercourses, culverts, bridges and drainage devices, retaining walls, cribbing, dams, and other improvements existing or to be constructed, together with supporting calculations and maps as may be required after initial review of plans;
15. Proposed provisions for storm drainage control and any existing or proposed flood control facilities or septic tank disposal fields or areas reserved for on-site sewage disposal near the grading;
16. A detailed erosion and sediment control plan including specific locations, construction details, and supporting calculations for temporary and permanent sediment control structures and facilities;
17. A revegetation plan, including temporary erosion control plantings, permanent slope plantings, replacement of temporary groundcover, and irrigation facilities.

B. Additional supporting information which may be required includes, but is not necessarily limited to:

1. An estimate of the quantities of excavation and fill;
2. The location of any borrow site or location for disposal of surplus material;
3. A projected schedule of operations, including, as a minimum, the dates of:
  - a. Commencement of work;
  - b. Start and finish of rough grading;
  - c. Completion of drainage facilities;
  - d. Completion of work in any watercourse;
  - e. Completion of erosion and sediment control facilities;
  - f. Completion of hydromulching and other landscaping. If rough grading is proposed between October 15th and May 1st, a more detailed schedule of grading activities and use of erosion and sediment control facilities may be required;
4. Itemized cost estimate of the proposed grading and related work;
5. A complete drainage study in conformance with the Placer County flood control and water conservation district's stormwater management manual (latest edition);
6. Geotechnical investigation report and recommendations addressing the proposed work. (Ord. 5056-B (part), 2000)

#### 15.48.330 Retention of approved plans.

Three sets of approved plans and specifications shall be retained by the community development resource agency. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

#### 15.48.340 Modification of approved plans.

A. Proposed modifications of an approved final plan shall be submitted to the community development resource agency for written approval.

B. All necessary soils and geological information and design details shall accompany any proposed modification.

C. The modification shall be compatible with any subdivision map or land use requirements. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

#### 15.48.350 Seasonal requirements.

Implementation of erosion and sediment control plans shall be based on the season of the year and the stage of construction at forecasted periods of rainfall and heavy storms. Erosion and sediment control plans shall allow for possible changes in construction scheduling, unanticipated field conditions, and relatively minor changes in grading. Modifications to plans may be required after initial plan approval. (Ord. 5056-B (part), 2000)

### Part 5. Geotechnical Investigations and Inspections

#### 15.48.360 Geotechnical investigation required.

A soil or geologic investigation report shall accompany the application in any of the following circumstances when required by the agency director:

A. When the proposed grading includes a cut or fill exceeding ten (10) feet in depth at any point; however, for vehicular ways, a soil investigation shall not be required unless the grading includes a proposed cut or fill that exceeds ten (10) feet in depth and the slope of the natural ground exceeds thirty (30) percent;

B. When highly expansive soils are present;

C. In areas of known or suspected geological hazards, including landslide hazards and hazards of ground failure stemming from seismically induced ground shaking. (Ord. 5056-B (part), 2000)

#### 15.48.370 Investigations.

Those portions of the soil or geologic investigation that constitutes “civil engineering” as defined by Section 6734 of the Business and Professions Code of the state of California shall be conducted by or under the direct supervision of a geotechnical engineer or civil engineer. Those portions of the investigation that involve the practice of “geology” as defined by Section 7802 of the Business and Professions Code of the state of California shall be conducted by an engineering geologist.

The investigations shall be based on observations and tests of the material exposed by exploratory borings or excavations and inspections made at appropriate locations. Additional studies may be necessary to evaluate soil and rock strength, the effect of moisture variation on soil, bearing capacity, compressibility, expansiveness, stability, keying, subdrainage benching and other factors. Grading factors such as moisture variability, ability to compact the material when wet, etc. should be evaluated. (Ord. 5056-B (part), 2000)

#### 15.48.380 Reports--General.

Any soil or geologic investigation report shall be subject to the approval of the community development resource agency who may require supplemental reports and data. Recommendations included in the reports and approved by the community

development resource agency shall be incorporated in the final plans and specifications. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.390 Soil/geologic investigation report.

The soil or geologic investigation report shall contain all of the following, as they may be applicable to the subject site:

- A. An index map showing the regional setting of the site;
- B. A site map which shows the topographic features of the site and locations of all soil borings and test excavations;
- C. A classification of the soil types (unified soil classification), pertinent laboratory test data and consequent evaluation regarding the nature, distribution, and strength of existing soils;
- D. A description of the geology of the site and geology of the adjacent areas when pertinent to the site;
- E. A suitably scaled map and cross sections showing all identified areas of land slippage;
- F. A description of any encountered groundwater or excessive moisture conditions;
- G. A description of the soil and geological investigative techniques employed;
- H. A log for each soil boring and test excavation showing elevation at ground level and the depth of each soil or rock strata;
- I. An evaluation of the stability of pertinent natural slopes and recommendations regarding maximum cut and fill slopes of proposed work;
- J. An evaluation of settlement associated with the placement of any fill;
- K. Recommendations for grading procedures and specifications, including methods for excavation and subsequent placement of fill;
- L. Recommendations regarding surface and subsurface drainage and erosion control;
- M. Recommendations for mitigation of geologic hazards. (Ord. 5056-B (part), 2000)

15.48.400 Final report.

Upon completion of rough grading work, in the event a complete record of the work is desired or necessary, the community development resource agency may require a final geotechnical report that includes, but is not necessarily limited to the following:

- A. A complete record of all field and laboratory tests including location and elevation of all field tests;
- B. A professional opinion regarding slope stability, soil bearing capacity, and any other pertinent information;
- C. Recommendations regarding foundation design, including soil bearing potential and building restrictions or setbacks from the top or toe of slopes;
- D. A declaration by the geotechnical engineer, civil engineer or engineering geologist in the format required by the community development resource agency that all work was done in substantial conformance with the recommendations contained in the

soil or geologic investigation reports as approved and in accordance with the approved plans and specification. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.410 Changed conditions.

Where soil or geologic conditions encountered in the grading operation deviate from that anticipated in the soil and geologic investigation reports or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for the approval of the community development resource agency. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.420 Special inspection.

A. As a condition of the permit, the community development resource agency may require the permittee to retain a private geotechnical engineer or civil engineer to directly supervise or perform continuous inspection work, and upon completion of the work to provide a written statement acknowledging that he/she has inspected the work and that in his/her professional judgment the work was performed in accordance with the approved plans and specifications. The permittee shall make his own contractual arrangements for such services and shall be responsible for payment of all costs. Continuous inspection by a geotechnical engineer or civil engineer shall include, but not be limited to, the following situations:

1. During the preparation of a site for the placement of fills which exceed five feet in depth on slopes which exceed ten (10) percent and during the placing of such fills; however, for vehicular pathways, fill placement shall be continuously inspected when fills exceed ten (10) feet in height;

2. During the preparation of a site for the placement of any fill which is intended to support any building or structure when the fill exceeds three feet in depth;

3. During the installation of subsurface drainage facilities.

B. Reports filed by the private geotechnical engineer or civil engineer regarding special inspection shall state in writing that from his personal knowledge the work performed during the period covered by the report has been performed in substantial accordance with the approved plans and specifications.

C. The use of a private geotechnical engineer or civil engineer for inspections shall not preclude the community development resource agency from conducting personal inspections or from authorizing inspections by other qualified inspectors as may be necessary. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.430 Noncompliance notification by private geotechnical engineer or civil engineer.

The permittee shall cause the work to be done in accordance with the approved plans. If during the course of construction the private geotechnical engineer or civil engineer finds that the work is not being done substantially in accordance with the approved plans and specifications, he shall immediately notify the person in charge of the work and the community development resource agency of the nonconformity and the corrective measures to be taken. When changes in the plans are required, he shall prepare or cause to be prepared such proposed changes and submit them to the community

development resource agency for approval. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.440 Periodic progress reports by private geotechnical engineer or civil engineer.

As a condition of the report, periodic progress reports shall be rendered by the private geotechnical engineer or civil engineer as required by the community development resource agency including, but not limited to, laboratory tests, slope stability, placement of materials, retaining walls, drainage, utilities and any special permit or plan requirements. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.450 Progress report by permittee.

Periodic progress reports shall be rendered by permittee on specified calendar dates and at commencement and completion of major key grading and erosion and sediment control operations. The dates of operations upon which such reports are required and their content shall be as required by the community development resource agency in the permit. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.460 Record drawings.

Permittee shall submit to the community development resource agency a record drawing of the grading plan following completion of the work. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.470 Performance of work--Inspection/certification.

The community development resource agency may inspect any work or require certification by private engineer of any work done under a grading permit. No permittee shall be deemed to have complied with this article unless one of the following has occurred:

A. A final inspection approval has been issued by the community development resource agency or the department of public works, as appropriate, or;

B. Submittal of certification of completion by the civil engineer or the geotechnical engineer of record, has been accepted by the community development resource agency, or;

C. The final inspection has been waived in writing by the community development resource agency.

The permittee shall provide adequate access to the site for inspection by the community development resource agency during the performance of all work and for a minimum period of one year after completion of the work.

If the engineer of record is changed during the grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the agency director in writing of such change prior to the recommencement of such grading. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.480 Other responsibilities of permittee.

The permittee shall also be responsible for the following:

A. Protection of Utilities. The permittee shall be responsible for the prevention of damage to any public utilities or services.

B. Protection of Adjacent Property. The property owner is responsible for the prevention of damage to adjacent property. No person(s) shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley or other public or private property, or easement, without supporting and protecting such property from damage which might result.

C. Advance Notice. The permittee shall notify the community development resource agency at least twenty-four (24) hours prior to the start of work.

D. Erosion and Sediment Control. It shall be the responsibility of the permittee to control discharge of sediment from the site to any watercourse, drainage system, or adjacent property and to protect watercourses and adjacent properties from damage by erosion, flooding or deposition which may result from the permitted grading.

E. Hazardous Materials Control. It shall be the responsibility of the permittee to prevent discharge of hazardous materials from the site to any watercourse, drainage system, or adjacent property, and to protect watercourses and adjacent properties by hazardous materials, which may result from, permitted grading. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

## Part 6. Design Standards

### 15.48.490 Excavation.

Excavations shall be constructed or protected so that they do not endanger life or property. (Ord. 5056-B (part), 2000)

### 15.48.500 Excavation slope.

The slope of cut surfaces of permanent excavations shall not be steeper than two horizontal to one vertical exclusive of terraces and exclusive of rounding described herein. Steeper slopes will be permitted in competent bedrock provided such slope inclinations are in accordance with recommendations contained in the geotechnical or geological report. The bedding planes, foliation planes or principal joint sets in any formation when dipping towards the cut face shall not be daylighted by the cut slope unless the soils and geologic investigations contain recommendations for steeper cut slopes. Cut slopes shall be rounded into the existing terrain to produce a contoured transition from cut face to natural ground. (Ord. 5056-B (part), 2000)

### 15.48.510 Fill placement.

Fills shall be constructed in layers. The loose thickness of each layer of fill material before compaction shall not exceed eight inches. Completed fills shall be stable masses of well-integrated material bonded to adjacent materials and to the materials on which they rest. Fills shall be competent to support anticipated loads and be stable at the design slopes shown on the plans. Proper surface and subsurface drainage and other appropriate measures shall be taken to ensure the continuing integrity of fills. Earth materials shall be used which have no more than minor amounts of organic substances and have no rock or similar irreducible material with a maximum dimension greater than twelve (12) inches. Larger material may be used with the approval of the community

development resource agency and the geotechnical engineer. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.520 Fill compaction.

All fills shall be compacted throughout their full extent to a minimum of ninety (90) percent of maximum density as determined by the appropriate Caltrans standard method or other alternate methods approved by the community development resource agency. Tests to determine the density of compacted fills shall be made on the basis of not less than one test for each two-foot vertical lift of the fill but not less than one test for each one thousand (1,000) cubic yards of material placed. Additional density tests at a point approximately one foot below the fill slope surface shall be made on the basis of not less than one test for each one thousand (1,000) square feet in slope surface but not less than one test for each ten-foot vertical increase of slope height. All tests shall be reasonably uniformly distributed within the fill or fill slope surface. Results of such testing and location of tests shall be presented in the periodic and final reports. Compaction may be less than ninety (90) percent of maximum density, as determined by the above test, within six inches of the slope surface when such surface material is placed and compacted by a method acceptable to the community development resource agency for the planting of the slopes. Compaction of temporary stockpile fills, to be used for a period of not greater than six months, shall not be required, except where the community development resource agency determines that compaction is necessary as a safety measure to aid in preventing saturation, sliding, or erosion of the fill. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.530 Ground preparation for fill placement.

The natural ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, top soil, and other unsuitable material, and where slopes are six horizontal to one vertical or steeper, by benching into competent material in a manner acceptable to the community development resource agency. The keyway under the toe, if specified, shall be at least fifteen (15) feet wide. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.540 Fill slopes.

The slope of permanent fills shall not be steeper than two horizontal to one vertical exclusive of terraces and exclusive of roundings described herein, unless a soils report supports a steeper slope, but shall not exceed one and one-half horizontal to one vertical unless the fill is reinforced as recommended by the geotechnical engineer. The community development resource agency may require that the fill be constructed with an exposed surface flatter than two horizontal to one vertical or may require such other measures as he deems necessary for stability and safety. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.550 Adjacent structures protection.

Footings which may be affected by any excavation shall be underpinned or otherwise protected against settlement and shall be protected against lateral movement. Fills or other surcharge loads shall not be placed adjacent to any building or structure



unless such building or structure is capable of withstanding the additional loads caused by such fill or surcharge. The rights of coterminous owners shall be as set forth in Section 832 of the Civil Code of the state of California. (Ord. 5056-B (part), 2000)

15.48.560 Setbacks--General.

Unless otherwise recommended in a soil or geologic investigation report, Appendix 33 of the latest county adopted version of the Uniform Building Code shall be used for establishing setbacks for property boundaries, buildings and structures other than fences and retaining walls. (Ord. 5056-B (part), 2000)

15.48.570 Drainage--General.

Any drainage structure(s) or device(s) carrying surface water runoff required by this article shall be designed and constructed in accordance with standards herein, the current Placer County flood control and water conservation district stormwater management manual and criteria authorized by the agency director or the director of public works, as appropriate. (Ord. 5056-B (part), 2000)

15.48.580 Drainage discharge requirements.

All drainage facilities shall be designed and engineered to carry surface and subsurface waters to the nearest adequate street, storm drain, natural watercourse, or other juncture. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.590 Drainage--Water accumulation.

All areas shall be graded and drained so that drainage will not cause erosion or endanger the stability of any cut or fill slope or any building or structure. (Ord. 5056-B (part), 2000)

15.48.600 Drainage protection of adjoining property.

When surface drainage is discharged onto any adjoining property, it shall be discharged in such a manner that it will not cause erosion or endanger any cut or fill slope or any building or structure. (Ord. 5056-B (part), 2000)

15.48.610 Terrace drainage.

Terraces at least eight feet in width shall be established at not more than twenty-five (25) feet in height intervals for all cut and fill slopes exceeding thirty (30) feet in height. Where only one terrace is required, it shall be at approximately mid-height. Suitable access shall be provided to permit proper cleaning and maintenance of terraces and terrace drains. Swales or ditches on terraces shall have a minimum depth of one foot, a minimum longitudinal grade of four percent, a maximum longitudinal grade of twelve (12) percent. Down-drains or drainage outlets shall be provided at approximately three hundred (300) foot intervals along the drainage terrace. Down-drains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal. If the drainage discharges onto natural ground, adequate erosion protection shall be provided. (Ord. 5056-B (part), 2000)

15.48.620 Subsurface drainage.

Cut and fill slopes shall be provided with surface and/or subsurface drainage as necessary for stability. (Ord. 5056-B (part), 2000)

15.48.630 Erosion and sediment control.

The following shall apply to the control of erosion and sediment from grading operations:

A. Grading plans shall be designed with long-term erosion and sediment control as a primary consideration. Erosion prevention and source control are to be emphasized over sediment controls and treatment.

B. Grading operations shall provide erosion and sediment control measures except upon a clear demonstration, to the satisfaction of the community development resource agency or the Department of Public Works, as appropriate, that at no stage of the work will there be any substantial risk of increased sediment discharge from the site. Temporary mulch, revegetation, or other stabilization methods shall be applied to areas where permanent revegetation or landscaping cannot be immediately implemented. Unless otherwise exempted in this Article, grading activity must be scheduled to ensure completion or winterization by October 15 of each year.

C. Grading activity shall be conducted such that the smallest practicable area of erodible land is exposed at any one time during grading operations and the time of exposure is minimized. Land disturbance shall be limited to the minimum area necessary for construction.

D. Natural features, including vegetation, terrain, watercourses and similar resources shall be protected and preserved wherever possible. Units of grading shall be clearly defined and marked to prevent damage by construction equipment.

E. Permanent vegetation and structures for erosion and sediment control shall be installed as soon as possible.

F. Adequate provision shall be made for effective maintenance of temporary and permanent erosion and sediment control structures and vegetation. Sediment and other construction-related wastes shall be retained and properly managed on the site or properly disposed of off site.

G. No topsoil shall be removed from the site unless otherwise directed or approved by the community development resource agency. Topsoil overburden shall be stockpiled and redistributed where appropriate within the graded area after rough grading to provide a suitable base for seeding and planting. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water.

H. Runoff shall not be discharged from the site in quantities or at velocities substantially above those, which occurred before grading except into drainage facilities, whose design has been specifically approved by the community development resource agency.

I. The permittee shall take reasonable precautions to ensure that vehicles do not track or spill earth materials into public streets and shall immediately remove such materials if this occurs. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

J. All cut and fill slopes shall be adequately stabilized to prevent erosion and failure through temporary and permanent means.

K. Control measures shall be employed to prevent transport of dust off the project site or in to any drainage course or water body.

15.48.640 Emergency conditions.

Should increased sediment discharge occur or become imminent, the permittee shall take all necessary steps to control or reduce such discharge. Such steps may include construction of additional facilities or removal or alteration of facilities required by approved erosion and sediment control plans. Facilities removed or altered shall be restored as soon as possible afterward or appropriate changes in the plan shall be immediately required pursuant to this article. The permittee shall take prompt action to resolve emergency problems; otherwise the community development resource agency or the department of public works may institute abatement proceedings pursuant to provisions of Section 15.48.700(B). (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.650 Erosion and sediment control plans.

Erosion and sediment control plans prepared pursuant to this article shall comply with all of the following:

- A. The erosion and sediment control plan need not be a separate sheet if all facilities and measures can be shown on the grading sheets without obscuring the clarity of either the grading plan or the erosion and sediment control plan.
- B. An erosion and sediment control plan shall be required whenever:
  - 1. The graded portion of the site includes more than ten thousand (10,000) square feet of area having a slope greater than ten (10) percent; or
  - 2. Clearing and grubbing of areas of one acre or more regardless of slope; or
  - 3. There is a significant risk that more than two thousand five hundred (2,500) square feet will be unprotected or inadequately protected from erosion during any portion of the rainy season; or
  - 4. Grading will occur within fifty (50) feet of any watercourse; or
  - 5. The community development resource agency determines that the grading will or may pose a significant erosion, or sediment discharge hazard for any reason.
  - 6. The site is located within the Tahoe Basin.
- C. Except as provided in Article 15.48.120, sediment and erosion control measures must be in place or be capable of being placed within twenty-four (24) hours, in the opinion of the agency director, by October 15. The agency director may require suspension of any and all grading activities between October 15 and May 1 without prior notice.
- D. The applicant shall submit with the erosion and sediment control plans, a detailed, cost estimate covering this work.
- E. Erosion and sediment control plans shall include an effective revegetation program to stabilize all disturbed areas, which will not be otherwise protected. All such areas where grading has been completed between April 1 and October 15 shall be planted by November 1. Graded areas completed at other times of the year shall be planted within fifteen (15) days. If revegetation is infeasible or cannot be expected to stabilize an erodible area with assurance during any part of the rainy season and the unstable area exceeds two thousand five hundred (2,500) square feet, additional erosion and sediment

control measures or irrigation of planted slopes may be required as appropriate to prevent increased sediment discharge.

F. Erosion and sediment control plans shall be designed to prevent increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion. Every feasible effort shall be made to ensure that site stabilization is permanent. Plans shall indicate the implementation period and the stage of construction where applicable.

G. Erosion and sediment control plans shall comply with the recommendations of the responsible civil engineer, geotechnical engineer, engineering geologist, or landscape architect involved in preparation of the grading plans.

H. The structural and hydraulic adequacy of all storm water containment or conveyance facilities shown on the erosion and sediment control plans shall be verified by a civil engineer, and he shall so attest on the plans. Sufficient calculations and supporting material to demonstrate such adequacy shall accompany the plans when submitted.

I. Erosion and sediment control plans shall be designed to meet anticipated field conditions.

J. Erosion and sediment control plans shall provide for inspection and repair of all erosion and sediment control facilities at the close of each working day during the rainy season and for specific sediment cleanout and vegetation maintenance criteria.

K. Erosion and sediment control plans shall comply with any and all standards and specifications adopted herein for the control of erosion and sedimentation on grading sites. These standards and specifications shall be in general compliance with the current Erosion and Sediment Control Guidelines for Developing Areas of the Sierras published by the High Sierra Resource Conservation District. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

15.48.660 Vehicular ways--General.

Vehicular ways shall conform to the grading requirements of this article. (Ord. 5056-B (part), 2000)

15.48.670 Vehicular ways--Drainage.

Vehicular ways shall be graded and drained in such a manner that will not allow erosion or endanger the stability of any adjacent slope. Surface discharge onto adjoining property shall be controlled in such a manner that it does not cause erosion or endanger existing improvements. Bridges and culverts installed in watercourses may be reviewed by the Placer County flood control and water conservation district and must be approved by the agency director or the public works director, as appropriate, and any other required permitting agency. (Ord. 5056-B (part), 2000)

## Part 7. Improvement Security

15.48.680 Security required.

A. As a condition for the issuance of a permit, the community development resource agency may require the deposit of improvement security in sufficient amount deemed necessary to assure performance of the work in the event of default on the part of

permittee or, in the case of a subdivision, where the permittee does not proceed with preparation and obtaining the approval of a final map. Such security shall be in a form acceptable to Placer County.

B. In the case of subdivisions, the improvement security shall remain in effect until final inspections have been made of all grading work and the board of supervisors of Placer County has accepted the subdivision improvements.

C. For projects other than subdivisions, the improvement security shall remain in effect until final inspections have been made and all grading work has been approved by the community development resource agency.

D. In addition to the improvement security, the community development resource agency may also require the deposit of maintenance security in sufficient amount deemed necessary to guarantee and maintain the grading work and to assure the proper functioning of drainage systems and adequate erosion and sedimentation control. Such maintenance security shall be in a form acceptable to Placer County and shall remain in effect for a period of one year after the date of acceptance of the improvements as designated in subsections B and C of this section.

E. Any deposit required by the community development resource agency pursuant to this article shall be payable to the Placer County community development resource agency.

F. Upon satisfaction of applicable provisions of this article, the improvement and maintenance security deposits will be released. However, upon failure to complete the work, failure to comply with all of the terms of the permit, or failure of the completed site to function properly to provide proper drainage or erosion and sedimentation control, the county may do the required work, or cause it to be done and collect from the permittee or surety all costs incurred thereto, including administrative, inspection and legal costs. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

## Part 8. Enforcement

### 15.48.690 Violations.

Failure to comply with the following shall constitute a violation of this article:

A. All orders issued by the community development resource agency pursuant to the provisions of this article;

B. All conditions placed on grading permits;

C. All rules and regulations of Placer County. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

### 15.48.700 Nuisance.

A. Established Nuisances Per Se. The board of supervisors of Placer County ordains that the following violations of this article constitute public nuisances:

1. A violation has altered natural drainage patterns and has or will cause flooding to adjacent property; or

2. A violation has created a threat to public health, safety or welfare.

B. Nuisance Abatement Procedure. In accordance with California Government Code Section 25845, the Placer County board of supervisors establishes the

procedure for abatement of a nuisance. Upon the discovery of a nuisance, county staff shall comply with the following procedures:

1. Upon discovery of a nuisance, the owner of the parcel, and anyone known to be in possession of the parcel shall be given notice of the nuisance abatement proceeding. The notice shall provide for an opportunity to appear and be heard before the board of supervisors prior to the abatement of the nuisance by county.

2. Notwithstanding the foregoing, nothing in this article shall prohibit the summary abatement of a nuisance upon order of the board of supervisors, or upon order of any other county officer authorized by law to summarily abate nuisances, if the board or officer determines that the nuisance constitutes an immediate threat to public health or safety.

3. In any action to abate a nuisance, whether by administrative proceedings, judicial proceedings or summary abatement, the owner of the parcel upon which the nuisance is found to exist shall be liable for all costs of abatement incurred by the county, including, but not limited to, administrative costs, and any and all costs incurred in abatement of nuisance. Recovery of costs pursuant to this subsection shall be in addition to and shall not limit any prevailing party's right to recover costs pursuant to Sections 1032 and 1033.5 of the Code of Civil Procedure or any other provision of law. A prevailing party may also recover attorneys' fees in any action, administrative proceeding, or special proceeding to abate a nuisance, if the county elects at the initiation of the individual action or proceeding, to seek recovery of its own attorneys' fees. In no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the county in the action or proceeding.

4. If the property owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the cost of the abatement to be specially assessed against the parcel. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes shall be applicable to this special assessment.

5. If the board of supervisors specially assesses the cost of the abatement against the parcel, the board also may cause a notice of abatement lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the nuisance was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost.

However, if the board of supervisors does not cause the recordation of a notice of abatement lien pursuant to subsection (B)(5) of this section, and any real property to which the costs of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or a lien on a bona fide encumbrance for value has been created and attaches to that property, prior to the date on which the first installment of county taxes would become delinquent, then the cost of abatement shall be transferred to the unsecured roll for collection.

6. Recordation of a notice of abatement lien pursuant to subsection (B)(5) of this section, has the same effect as recordation of an abstract of a money judgment recorded pursuant to Article 2 (commencing with Section 697.310) of Chapter 2 of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure. The lien created has the same priority as a judgment lien on real property and continues in effect until released. Upon order of the board of supervisors, or any other county officer authorized by the board of supervisors to act upon its behalf, an abatement lien created under this section may be released or subordinated in the same manner as a judgment lien on real property may be released or subordinated.

7. The board of supervisors may delegate the hearing required by subsection (B)(1) of this section prior to abatement of a public nuisance, to a hearing board designated by the board of supervisors. The hearing board shall make a written recommendation to the board of supervisors. The board of supervisors may adopt the recommendation without further notice of hearing, or may set the matter for a de novo hearing before the board of supervisors.

8. The board of supervisors may, by ordinance, delegate to a hearing officer appointed pursuant to Government Code Section 27720 the powers and duties specified by this section.

C. Upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner of property is responsible for a condition that may be abated in accordance with this article enacted pursuant to California Government Code Section 25845, except for conditions abated pursuant to Section 17980 of the health and safety code, the court may order the owner to pay treble the costs of the abatement. (Ord. 5056-B (part), 2000)

15.48.710 Stop work orders.

A. Whenever any person is performing work in violation of the provisions of this article, the agency director may issue a written order to the responsible party to stop work on the portion of the work where the violation has occurred or upon which the danger exists. If there are no persons present on the premises, the notice may be posted in a conspicuous place. The notice shall state the nature of the violation.

B. Upon receipt of such stop work order the person performing the work shall:

1. Stop work immediately; and  
2. Within twenty-four (24) hours provide the agency director with a list of remedies which can be immediately undertaken to bring the work into compliance with this article; and

3. Within twenty-four (24) hours after approval of a remedy by the agency director undertake, at the violator's sole expense, such action as is necessary to bring the work into compliance with this article.

C. If the responsible party fails to comply with the stop work order served pursuant to this section, the county may use any and all remedies available to it under this article, in law, or in equity, including but not limited to: shutting down all work on the site, performing the corrective work either with county crews or by contract, or arresting the responsible party for violation of this article. (Ord. 5056-B (part), 2000)

15.48.720 Misdemeanor violation.

Notwithstanding any other provisions of this code, any person violating any provisions of this article shall be guilty and punishable as provided in Section 1.24.010 of a misdemeanor. Each such person shall be charged with a separate offense for each and every day or portion thereof during which any violation of this article is committed, continued or permitted. Upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. (Ord. 5056-B (part), 2000)

15.48.730 Investigation fees/work without a permit.

Whenever any work for which a permit is required by this article has been commenced without first obtaining the permit, the agency director shall require an investigation before issuing a permit for such work. In this case, the violator shall be charged for the department's labor and costs incurred during the investigation, in addition to the regular permit fees. (Ord. 5056-B (part), 2000)



**APPENDIX B**

**PLACER COUNTY  
CONSTRUCTION PROJECT  
INVENTORY AND PRIORITIZATION PLAN**



## PLACER COUNTY DEPARTMENT OF PUBLIC WORKS

Ken Grehm, Director  
Rick Dondro, Assistant Director

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VIA E-MAIL AND U.S. MAIL

April 28, 2006

Douglas F. Smith  
Lahontan Region and Water  
Quality Control Board  
2501 Lake Tahoe Blvd.  
So. Lake Tahoe, CA 96150

**Subject: Construction Site Inventory Report for May 1, 2006**

Dear Mr. Smith,

As required under the Municipal Permit, Order Number R6T-2005-0026, NPDES No. CAG616001, please find attached an inventory of construction sites within the Lake Tahoe Hydrological Unit subject to local grading and construction permits for the 2006 construction season. The inventory is complete with all currently issued permits as of this date. As a general note, once a permit is issued, it is up to the permittee to schedule and complete the work. Some permits that are currently active may be completed over several years. Therefore some permits issued may not be constructed (or even started) in the 2006 season. Tracking of active construction projects is an item of review through the County Stormwater Management Plan.

The municipal permit also requires that the County submit a detailed plan to conduct site prioritization. Prioritization will be based on:

1. Soil erosion potential (using TRPA land classification as a minimum guide);
2. Steepness of site slope;
3. Project size and type;
4. Stage of construction;
5. Proximity to the Lake or water way
6. Sites and/or contractors with a previous history of non-compliance.

The database of construction and grading permits currently identifies project size and type. The database will be modified to include prioritization status based on the above criteria list. A plan to implement a prioritization system for these permits is attached.

Douglas f. Smith  
Subject Construction Site Inventory Report for May 1, 2006  
April 28, 2006  
Page 2 of 2

Should you have any questions, please contact Mary Keller, Stormwater Program Coordinator at (530) 889-7503.

Respectfully submitted,

Placer County Department of Public Works

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Robert Costa  
Public Works Manager

cc: Bill Williamson, City of South Lake Tahoe  
Bob Slater, County of El Dorado  
Robert Larsen, Lahontan Regional Board  
File

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COUNTY OF PLACER  
TAHOE BASIN  
STORMWATER QUALITY  
CONSTRUCTION SITE PRIORITIZATION PLAN

As required under the Lahontan Region and Water Quality Control Board Municipal Permit, Order Number R6T-2005-0026, NPDES No. CAG616001 the County is to submit a detailed plan to conduct site prioritization. Prioritization will be based on:

1. Soil erosion potential (using TRPA land classification as a minimum guide);
2. Steepness of site slope;
3. Project size and type;
4. Stage of construction;
5. Proximity to the Lake or water way
6. Sites and/or contractors with a previous history of non-compliance.

Placer County currently uses a database system to input construction and grading permit information. This database currently identifies project size and type but does not identify adequately any of the other five prioritization factors. Inclusion of this information will be through addition in the database of site priority.

Site priority will be established when the permit is initiated. The permit application will be reviewed for the above six factors. This will be done through a reviewer checklist (i.e. checklist will address each factor such as "Is site within 50 feet of water way?"). If the permit meets any of the checklist criteria, it will be given a "High" priority. All others will be rated as "Standard." During the permit review or during actual construction/grading activities it will be possible for the priority to change (such as site conditions change or initial permit features change).

The database is maintained on a continuous basis as permits are initiated and issued. An actual report with construction and grading permit inventory and prioritization will be completed annually for the May 1 report.

## **APPENDIX C**

### **PLACER COUNTY DRAFT STORMWATER ORDINANCE**

# Before the Board of Supervisors County of Placer, State of California

In the matter of: AN ORDINANCE CREATING  
CHAPTER 8, ARTICLE 8.28 OF THE PLACER  
COUNTY CODE FOR COMPLIANCE WITH  
STORMWATER PERMIT REQUIREMENTS.

Ord. No:.....

First Reading:.....

The following ORDINANCE was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_,  
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:  
Clerk of said Board

\_\_\_\_\_  
Chairman, Board of Supervisors

\_\_\_\_\_  
\_\_\_\_\_  
THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF  
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

The following Article 8.28 in its entirety shall become effective sixty (60) days  
after the date of final passage of this ordinance.

## **Article 8.28 – Stormwater Quality Ordinance**

### **8.28.010. Title.**

This Ordinance shall be known as the “Placer County Stormwater Quality Ordinance” of the County of Placer, and may be so cited.

### **8.28.020. Purpose and intent.**

- a. The purpose of this Article is to:  
Ensure the health, safety, and general welfare of the citizens of Placer County;  
Enhance and protect the quality of waters of the State in Placer County by reducing pollutants in stormwater discharges to the maximum extent practicable and controlling non-stormwater discharges to the storm drain system; To cause the use of Best Management Practices by the County and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state, and; To ensure the County is compliant with applicable state and federal law.
- b. This Article seeks to promote these purposes by:  
Prohibiting illicit discharges to the storm drain system; Establishing authority to adopt requirements for stormwater management, including source control requirements, to reduce pollution to the Maximum Extent Practicable;  
Establishing authority to adopt requirements for development projects to reduce stormwater pollution and erosion both during construction and after the project is complete, and; Establishing authority that will enable the County to implement and enforce any stormwater management plan adopted by the County.

### **8.28.030. Findings.**

The Placer County Board of Supervisors has determined that the health, safety, and general welfare of the citizens of Placer County is adversely affected by the discharge of pollution into storm drain systems and Waters of the State. The Board of Supervisors further finds that any violation of this Ordinance constitutes a public nuisance.

### **8.28.040. Applicability.**

This Article applies to all unincorporated areas of the County.

### **8.28.050. Definitions.**

**Best Management Practices (BMPs)** – Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent the discharge of pollution directly or indirectly into stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

**County** - The County of Placer.

**Development** – Any activity that moves soils or substantially alters the pre-existing vegetated or man-made cover of any land. Development includes any activity that may be considered new development or re-development. This also includes, but is not limited to, grading, digging, cutting, scraping, stockpiling or excavating or

soil, placement of fill materials, paving, pavement removal, exterior construction, substantial removal of vegetation where soils are disturbed including but not limited to removal by clearing or grubbing, or any activity which bares soil or rock or involves streambed alterations or the diversion or piping or any watercourse. Development does not include routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities (i.e. land disturbances) required to protect public health and safety.

***Discharge*** - The release, threatened release, or placement of any material into the County's storm drain system, including but not limited to stormwater, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter, or any other substance.

***Enforcement Agency*** – the Placer County Department of Public Works is the primary Enforcement Agency for the purposes of this Article. The Enforcement Agency shall coordinate program activities with and authorize personnel of other Departments to serve as Enforcement Officials to effectuate the purposes of this Article.

***Enforcement Official*** - Any agent of the County authorized by the Enforcement Agency to enforce compliance with this chapter.

***Illicit Discharge*** - Any direct or indirect non-stormwater discharge to the County's municipal storm drain system, except as otherwise exempted, including the introduction of pollution into the storm drain system.

***Illicit Connection*** - An illicit connection is defined by either of the following:

- (a) Any drain or water conveyance facility, either surface or subsurface, which allows an illicit discharge to enter the storm drain system, including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connection to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection has been previously allowed, permitted, or approved by a government agency, or
- (b) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the County.

***Industrial Activity*** - Activities subject to NPDES permits as defined in 40 CFR 122.26 (b)(14)

***Maximum Extent Practicable (MEP)*** – a technology-based standard established by Congress in the Clean Water Act Section 402(p)(3)(B)(iii) for stormwater discharge to apply to all small separate storm sewer system operators regulated under the NPDES program. MEP is generally the result of emphasizing pollution prevention and source control best management practices (BMPs) as the preferred method of preventing water pollution. The MEP approach is an ever-evolving, flexible and advancing concept, which considers technical and economic feasibility. As knowledge about controlling urban runoff continues to evolve, so does what constitutes MEP.

***National Pollutant Discharge Elimination System (NPDES)*** - The primary permitting program under the Clean Water Act which regulates most discharges to surface water.

***Non-stormwater discharge*** - A discharge to the storm drain system that is not composed entirely of stormwater and that has been polluted, as defined herein.



**Pollutant** - Anything which causes or contributes to pollution, as defined herein.

Pollutants include, but are not limited to: paints, varnishes, solvents, oil, automotive fluids, yard wastes, refuse, rubbish, garbage, litter, discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, detergents, soaps, hazardous substances, hazardous waste, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates), and noxious or offensive matter of any kind.

**Pollution** - The human-made or human-induced alteration of the quality of waters to a degree that causes or contributes to an exceedance of water quality standards contained in the Statewide Water Quality Control Plan, the California Toxics Rule, or in the applicable Regional Water Quality Control Board Basin Plan.

**Porter-Cologne Act** - The Porter-Cologne Water Quality Control Act, as amended (California Water Code section 13000 et seq.).

**Property Owner** – any person, entity, company, and/or authorized representative having title to real property within the geographic area affected by this Article.

**Regional Water Quality Control Board** - The Central Valley Regional Water Quality Control Board or the California Regional Water Quality Control Board, Lahontan Region

**Storm Drain System, also Municipal Storm Drain System** – Facilities owned or operated by the County by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drain, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the County and are not part of a publicly owned treatment works as defined at 40 CFR section 122.2.

**Stormwater** - Any surface flow, runoff, and drainage consisting entirely of water from precipitation events, which has not been polluted.

**Stormwater Pollution Prevention Plan (SWPPP)** - The construction site water quality management plan required by the State's construction general stormwater permit.

**Urgency Abatement** - Urgency involves the discharge or a threatened discharge condition which causes or threatens to cause an imminent threat to public health, safety, welfare, the environment, or a violation of a NPDES permit.

**Waters of the United States** - Surface watercourses and water bodies as defined at 40 CFR section 122.2, including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

**Waters of the State** – All surface watercourses and water bodies, including lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, marshes, inlets, canals, and all other bodies of surface waters, which are within the County of Placer. This definition includes, but is broader than, Waters of the United States.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined above, shall, when used in this Article, have the same meaning as set forth in said act or regulation.

**8.28.060. Responsibility for Administration.**

The Director of Public Works of the County of Placer shall administer the provisions of this Article. Any duties herein may be performed by other departments of the County.

**8.28.070. Conflicts with other laws**

In the event of any conflict between this chapter and any federal or state law or regulation, that requirement which establishes the higher standard for public health shall govern. To the extent permitted by law, nothing in this chapter shall preclude enforcement of any other applicable law, regulation, order, permit, or County ordinance.

**8.28.080. Discharge Prohibitions**

Except as provided in Section 8.28.090, it is unlawful for any person to make or cause to be made any illicit discharge into the storm drain system. Notwithstanding the exemptions provided by Section 8.28.090, if the Enforcement Agency determines any otherwise exempt discharge causes or significantly contributes to violations of any plan standard, or conveys significant quantities of pollutants to surface water(s) or watercourse(s), or is a danger to public health or safety, such discharge shall be prohibited from entering the storm drain system.

**8.27.090. Exemptions to Prohibited Discharges.**

Discharges from the following activities shall not be prohibited except as otherwise provided by this Article:

- a. Water line flushing and discharges from potable water sources.
- b. Landscape irrigation and lawn watering.
- c. Diverted stream flows and irrigation water.
- d. Springs, rising groundwater, and flows from riparian habitat and wetlands.
- e. Uncontaminated groundwater infiltration (as defined at 40 Code of Federal Regulation Section 35.2005(b)(20)).
- f. Uncontaminated pumped groundwater, foundation drains, footing drains, and water from crawl space pumps.
- g. Air conditioning condensation.
- h. Individual residential car washing.
- i. Dechlorinated swimming pool discharges.
- j. Fire fighting flows.

**8.28.100. Discharge in Violation of Existing NPDES Permit.**

Any person subject to any individual and/or industrial NPDES stormwater discharge permit shall comply with all provisions of such permit and any regulations or ordinances promulgated thereto, including requirements of the Grading and Erosion Prevention Ordinance of Placer County (Article 15.48). Proof of compliance with said permit may be required in a form acceptable to the Enforcement Agency prior to or as a condition of a subdivision map, site plan, building permit, or development, re-development, or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

**8.28.110. Discharge in Violation of County's NPDES Permit; Indemnification.**

Any discharge that would result in or contribute to a violation of any NPDES permit for stormwater discharges to the County issued by the California State

Water Resources Control Board or Regional Water Quality Control Board and any amendment, revision or reissuance thereof, either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) so causing or responsible for the discharge, and such persons shall defend, indemnify and hold harmless the County in any administrative or judicial enforcement action relating to such discharge.

**8.28.120. Acts Potentially Resulting in Violation of Federal Clean Water Act and/or Porter-Cologne Act.**

The standards set forth herein and promulgated pursuant to this Article are minimum standards. This Article does not intend or imply that compliance to these minimum standards will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into the waters of the State. This Article shall not create liability on the part of the County, or any agent or employee thereof for any damage that results from any discharger's reliance upon this Article or any administrative decision made thereunder.

**8.28.130. Right of Entry; Inspections.**

- a. The Enforcement Official is authorized to enter any building or premises for the purpose of making an inspection to enforce this Article, using the provisions of Article 1.28.
- b. The Enforcement Official may conduct inspections related to purposes of implementing this chapter on private or public property. Inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of the Chapter, including, but not limited to, visual evidence, complaints received, knowledge or physical evidence of industrial activities or other pollutant sources, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the County storm drain system, or similar factors.

**8.28.140. Concealment and Abetting.**

Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Article shall constitute a violation.

**8.28.150. Reduction of Pollutants in Stormwater, Best Management Practices.**

- a. **General Requirements.**  
Any person engaging in activities that may result in pollutants entering the storm drain system shall implement Best Management Practices to the maximum extent practicable to prevent and reduce such pollutants.
- b. **Maintenance**  
All BMPs shall be protected and maintained to ensure continuous and fully effective performance as designed.
- c. **Illicit Connection.**  
The construction, use, maintenance or continued existence of illicit connections is prohibited. This prohibition includes illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connections. Upon final adoption of this Article, any property owner or lessee who maintains an illicit connection shall,

within thirty (30) days from the effective date of this Article, disconnect and discontinue use of said connection.

**d. Waste disposal**

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or waters of the State, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution.

**e. Construction Activities**

Any person performing construction work within the County shall implement appropriate BMPs to prevent the discharge from the site of soil or construction wastes or debris, including contaminants from construction materials, tools, and equipment to the stormwater drainage system.

**f. Sidewalks**

Every property owner or any tenant in legal possession of the property upon which there is a paved sidewalk shall maintain that portion of the sidewalk on the property free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept into or otherwise allowed to enter the gutter or roadway, storm drain system, or any Waters of the State, but shall instead be disposed of in receptacles maintained as required for proper disposal of solid waste.

**g. Watercourse protection**

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. Any owner or lessee that conducts development as defined herein shall maintain existing privately owned structures within or adjacent to a watercourse such that the effective functioning and physical integrity of the watercourse is protected, and in a manner which does not cause pollution.

**h. Development**

The County may incorporate appropriate BMPs to control the volume, rate, and potential pollutant loading of stormwater runoff from development. These required BMPs will be contained in any land use entitlement and construction or building-related permit to be issued relative to such development or re-development. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and building permits as required in this Article.

**i. Paved areas**

Persons owning, operating, or maintaining a paved area, including the paved areas of a parking lot, gas station, paved private street, road, or driveway, and related storm drain systems shall clean those structures as frequently and as thoroughly as practicable in a manner that does not result in discharge of pollutants to the storm drain system.

#### **8.28.160. Containment and Notification of Illegal Discharges.**

Any person owning or occupying a premises who has knowledge of any illicit discharge from or across those premises which might enter the storm drain system, except as provided in Section 8.28.090, shall:

- a. Immediately take all reasonable action to contain and abate the illicit discharge, and;
- b. Notify the Enforcement Agency or its designated contact person within twenty-four (24) hours of the illicit discharge. The Enforcement Agency may require the owner of the property and/or the responsible person to take corrective actions within a specified time pursuant to this Article.

#### **8.28.170. Coordination with Hazardous Materials Inventory and Response Program.**

Any business subject to the County's hazardous materials inventory and release response plan shall include, at the first opportunity for revision, provisions in that plan for compliance with this Article.

#### **8.28.180. Enforcement.**

Any person who violates a provision of this Article may be subject to administrative, civil, or criminal liability as provided in this Article.

**a. Primary Authority**

The Enforcement Agency is empowered to use any of the provisions of Sections 8.28.190 through 8.28.220, and the provisions found in Articles 1.24 or 17.62 where appropriate to correct violations of, and secure compliance with the provisions of this Article.

**b. Warning Not Required**

Issuance of a warning shall not be a requirement prior to using any enforcement provision of this Article.

#### **8.28.190. Violation**

**a. Informal Warning, Educational Materials.**

Whenever the Enforcement Official determines that a violation of a provision of this Article has occurred or may occur, the Enforcement Agency may provide a warning to any person and/or owner responsible for the condition giving rise to such violation or potential violation. Such warning may include the distribution of educational materials to assist in future compliance with this Article. This warning may be provided in person or in writing.

**b. Notice of Noncompliance.**

Whenever the Enforcement Official determines that a violation has occurred, the Enforcement Official may serve a Notice of Noncompliance to any person and/or owner responsible for the violation. Each Notice of Noncompliance shall contain the following information:

1. The date of the violation;
2. The address or a definite description of the location where the violation occurred;
3. The Article section violated and a description of the violation;
4. A description of how the violation can be corrected;

5. A time limit by which the violation shall be corrected, after which further enforcement and/or corrective actions may be taken by the County if the violation is not fully corrected.
6. The name and signature of the individual preparing the Notice of Noncompliance; and
7. Notice of potential liability under the federal Clean Water Act or State Porter Cologne Water Quality Act.

**c. Administrative Compliance Order**

1. Whenever the Enforcement Official determines that a violation has occurred, the Enforcement Official may serve an Administrative Compliance Order to any person and/or owner responsible for the violation. Each Administrative Compliance Order shall contain the following information:
  - i. The date of the violation;
  - ii. The address or a definite description of the location where the violation occurred;
  - iii. The Article section violated and a description of the violation;
  - iv. An order to cease all activities which are believed to be causing the violation;
  - v. A time limit by which the violation shall be corrected, after which corrective actions will be taken by the County if the violation is not fully corrected.
  - vi. A statement that the County will charge the person and/or owner for all administrative costs associated with enforcement actions;
  - vii. An order prohibiting the continuation or repeated occurrence of the violation;
  - viii. The name and signature of the individual preparing the citation;
  - ix. A statement outlining the procedure for appeal of the Order; and
  - x. Notice to the violator of potential liability under the federal Clean Water Act or State Porter Cologne Water Quality Act.

**d. Citation**

The Enforcement Official is authorized to issue citations for infractions of this section using the provisions found in Articles 1.24. or 17.62.

**e. Misdemeanor**

Any violation of this Article is a misdemeanor and may be punished using the provisions of Article 1.24.

**f. Service**

The Enforcement Officer is authorized to use the provisions of Section 17.26.080.B to serve a **Notice of Noncompliance, Citation, and/or Administrative Compliance Order** to effectuate the provisions of this Article.

**g. Separate Violation; Intent**

1. Each day in which a violation occurs and each separate failure to comply with any provision of this Article is a separate offense and punishable by penalties in accordance with this Article.
2. A violation of the provisions of this Article shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection, or to cause, allow or facilitate any discharge or threatened discharge.

#### **8.28.200. Administrative Appeals**

- a.** Any person receiving an Administrative Compliance Order under subpart c of Section 8.28.190, or any person required to perform monitoring, analysis, reporting or corrective activities by any Enforcement Official and who is aggrieved by this decision of the Enforcement Official may appeal the decision in writing to the Director of Public Works within ten days following the effective date of the decision. Upon receipt of such appeal, the Director of Public Works shall request a report and recommendation from the authorized County employee and shall set the matter for hearing at the earliest practical date. At said hearing, the Director of Public Works may base his or her decision on additional evidence, and may reject, affirm or modify the Enforcement Official's decision.
- b.** The decision of the Director of Public Works may be appealed to the Board of Supervisors by filing a notice of appeal with the clerk of the Board of Supervisors within fifteen (15) days of receipt of the decision of the Director of Public Works. Such appeal shall be in writing and shall set forth fully the grounds for the appeal. The board shall thereupon fix a time and place for a public hearing of such appeal. The clerk of the board shall give notice to the appellant of the time and place of hearing by serving it personally or by depositing it in the U.S. Post Office, postage prepaid, addressed to the appellant at his last known address at least five days prior thereto.

At the hearing before the Board of Supervisors, the appellant may appear in person or by counsel and present any relevant evidence relating to the grievance; the Enforcement Agency may present evidence in rebuttal thereof. The hearing may be continued from time to time, not to exceed thirty (30) days in all. The Board of Supervisors shall conduct a hearing and make findings as appropriate. The decision of the Board of Supervisors shall be final.

#### **8.28.210. Civil actions.**

In addition to any other remedies provided in this Section, any violation of this Article may be enforced by civil action brought by the County. In any such action, the County may seek, as appropriate and allowed by law, any or all of the following remedies:

- a.** A temporary restraining order, preliminary and permanent injunction;
- b.** Reimbursement for the costs of any investigation, inspection or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing action under this division;
- c.** Costs incurred in removing, correcting or terminating the adverse effect(s) resulting from the violation;
- d.** Compensatory damages for loss or destruction of water quality, wildlife, fish and aquatic life. Costs and damages under this subsection d. shall be paid to the County and shall be used exclusively for costs associated with monitoring and establishing stormwater discharge pollution control system and/or implementing or enforcing the provisions of this division.

#### **8.28.220. Nuisance Abatement; Urgency Abatement.**

- a.** Nuisance Abatement

The Enforcement Agency may, in addition to other authorized procedures set forth in this Article, take action to abate any nuisance in accordance with the procedures found in Section 17.62.160. The costs of any such abatement

undertaken by the County shall be borne by the owner and shall be collectable in accordance with the provisions of 17.62.090.

b. **Urgency Abatement**

The Enforcement Agency may, in addition to other authorized procedures, take immediate action to abate any discharge or threatened discharge from any source to the storm drain system when, in the discretion of the Enforcement Agency, the discharge or threatened discharge causes or threatens to cause a condition which presents an imminent danger to the public health, safety, or welfare, or the environment, or a violation of a NPDES permit. The Enforcement Agency must first make reasonable attempts to contact and compel the responsible person and/or owner to abate the discharge or threatened discharge in a satisfactory manner. The costs of any such abatement shall be borne by the owner and shall be collectable in accordance with the provisions of 17.62.090.

**8.28.230. Regulatory Fee Structure Authorized.**

The Enforcement Agency shall collect such fees as may be authorized by the Board of Supervisors to establish and collect regulatory costs, which include routine inspections and other regulatory functions associated with this Article. Any such fees shall be established by resolution of the Board of Supervisors.

**8.28.240. Severability**

If any section, subsection, paragraph, sentence, or phrase of this Article is found to be invalid or unconstitutional for any reason, that finding shall not affect the remaining portions of this Article.